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*D. Wilson.*

C. b. longi.









THE  
**HISTORY**  
OF  
**SCOTLAND,**  
DURING THE REIGNS OF  
QUEEN MARY AND OF KING JAMES VI.  
TILL HIS  
ACCESSION TO THE CROWN OF ENGLAND;  
WITH  
*A REVIEW OF THE SCOTTISH HISTORY PREVIOUS TO  
THAT PERIOD ;*  
AND  
AN APPENDIX containing ORIGINAL PAPERS.

---

By WILLIAM ROBERTSON, D. D.  
PRINCIPAL OF THE UNIVERSITY OF EDINBURGH, AND  
HISTORIOGRAPHER TO HIS MAJESTY FOR SCOTLAND.

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TO WHICH IS PREFIXED,  
THE LIFE OF THE AUTHOR.

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*IN THREE VOLUMES.*

V O L. III.

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1817.



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## VOLUME THIRD.

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THE  
HISTORY OF SCOTLAND.

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BOOK VIII.

1590.] ON the first of May the king and queen arrived at Leith, and were received by their subjects with every possible expression of joy. The solemnity of the queen's coronation was conducted with great magnificence : but so low had the order of bishops fallen in the opinion of the public, that none of them were present on that occasion, and Mr Robert Bruce, a presbyterian minister of great reputation, set the crown on her head, administered the sacred unction, and performed the other customary ceremonies.

The zeal and success with which many of the clergy had contributed towards preserving peace and order in the kingdom during his absence, reconciled James, in a great degree, to their persons, and even to the presbyterian form of government. In presence of an assembly which met this year [Aug. 4], he made high encomiums on the discipline as well as the doctrine of the church, promised to adhere inviolably to both, and permitted the assembly to frame such acts as gradually abolished all the remains of episcopal jurisdiction, and paved the way for a full and legal establishment of the presbyterian model<sup>a</sup>.

<sup>a</sup> *Cald. iv. 204.*



1591.] An event happened soon after, which afforded the clergy no small triumph. Archbishop Adamson, their ancient opponent, having fallen under the king's displeasure, having been deprived of the revenues of his see in consequence of the act of annexation, and being oppressed with age, with poverty, and diseases, made the meanest submission to the clergy, and delivered to the assembly a formal recantation of all his opinions concerning church government, which had been matter of offence to the presbyterians. Such a confession, from the most learned person of the episcopal order, was considered as a testimony which the force of truth had extorted from an adversary<sup>b</sup>.

Meanwhile, the king's excessive clemency towards offenders multiplied crimes of all kinds, and encouraged such acts of violence, as brought his government under contempt, and proved fatal to many of his subjects. The history of several years, about this time, is filled with accounts of the deadly quarrels between the great families, and of murders and assassinations perpetrated in the most audacious manner, and with circumstances of the utmost barbarity. All the defects in the feudal aristocracy were now felt more sensibly, perhaps, than at any other period in the history of Scotland, and universal licence and anarchy prevailed to a degree scarce consistent with the preservation of society: while the king, too gentle to punish, or too feeble to act with vigour, suffered all these enormities to pass with impunity.

<sup>b</sup> Spotsw. 395. Cald. iv. 214.

But though James connived at real crimes, witchcraft, which is commonly an imaginary one, engrossed his attention, and those suspected of it felt the whole weight of his authority. Many persons, neither extremely old nor wretchedly poor, which were usually held to be certain indications of this crime, but masters of families, and matrons of a decent rank, and in the middle age of life, were seized and tortured. Though their confessions contained the most absurd and incredible circumstances, the king's prejudices, those of the clergy and of the people, conspired in believing their extravagancies without hesitation, and in punishing their persons without mercy. Some of these unhappy sufferers accused Bothwell of having consulted them, in order to know the time of the king's death, and of having employed their art, to raise the storms which had endangered the queen's life, and had detained James so long in Denmark. Upon this evidence that nobleman was committed to prison. His turbulent and haughty spirit could neither submit to the restraint, nor brook such an indignity. Having gained his keepers, he made his escape, and imputing the accusation to the artifices of his enemy the chancellor, he assembled his followers, under pretence of driving him from the king's councils. Being favoured by some of the king's attendants, he was admitted by a secret passage under cloud of night, into the court of the palace of Holyroodhouse. He advanced directly towards the royal apartment, but happily before he entered, the alarm was taken, and the doors shut [Dec. 27]. While he attempted to burst open some of them, and to

set fire to others, the citizens of Edinburgh had time to run to their arms, and he escaped with the utmost difficulty; owing his safety to the darkness of the night, and the precipitancy with which he fled<sup>c</sup>.

1592.] He retired towards the north, and the king having unadvisedly given a commission to the Earl of Huntly to pursue him and his followers with fire and sword, he, under colour of executing that commission, gratified his private revenge, and surrounded the house of the Earl of Murray, burnt it to the ground, and slew Murray himself [Feb. 8]. The murder of a young nobleman of such promising virtues, and the heir of the regent Murray, the darling of the people, excited universal indignation. The citizens of Edinburgh rose in a tumultuous manner; and though they were restrained, by the care of the magistrates, from any act of violence, they threw aside all respect for the king and his ministers, and openly insulted and threatened both. While this mutinous spirit continued,<sup>a</sup> James thought it prudent to withdraw from the city, and fixed his residence for some time at Glasgow. There Huntly surrendered himself to justice; and notwithstanding the atrociousness of his crime, and the clamours of the people, the power of the chancellor, with whom he was now closely confederated, and the king's regard for the memory of the Duke of Lennox, whose daughter he had married, not only protected him from the sentence which such an odious action merited, but exempted him even from the formality of a public trial<sup>d</sup>.

<sup>a</sup> *Melr.* 388. *Spotsw.* 386.

<sup>d</sup> *Spotsw.* 387.

A step of much importance was taken soon after with regard to the government of the church. The clergy had long complained of the encroachments made upon their privileges and jurisdiction by the acts of the parliament one thousand five hundred and eighty four, and though these laws had now lost much of their force, they resolved to petition the parliament, which was approaching, to repeal them in form. The juncture for pushing such a measure was well chosen. The king had lost much of the public favour by his lenity towards the popish faction, and still more by his remissness in pursuing the murderers of the Earl of Murray. The chancellor had not only a powerful party of the courtiers combined against him, but was become odious to the people, who imputed to him every false step in the king's conduct. Bothwell still lurked in the kingdom, and being secretly supported by all the enemies of Maitland's administration, was ready every moment to renew his audacious enterprises. James, for all these reasons, was extremely willing to indulge the clergy in their request, and not only consented to a law, whereby the acts of one thousand five hundred and eighty-four were rescinded or explained, but he carried his complaisance still further, and permitted the parliament to establish the presbyterian government, in its general assemblies, provincial synods, presbyteries, and kirk sessions, with all the different branches of their discipline and jurisdiction, in the most ample manner. All the zeal and authority of the clergy, even under the administration of regents, from whom they *might have expected the*

most partial favour, could not obtain the sanction of law, in confirmation of their mode of ecclesiastical government. No prince was ever less disposed than James to approve a system, the republican genius of which inspired a passion for liberty extremely repugnant to his exalted notions of royal prerogative. Nor could any aversion be more inveterate than his, to the austere and uncomplying character of the presbyterian clergy in that age; who, more eminent for zeal than for policy, often contradicted his opinions, and censured his conduct, with a freedom equally offensive to his dogmatism as a theologian, and to his pride as a king. His situation, however, obliged him frequently to conceal or to dissemble his sentiments; and as he often disgusted his subjects, by indulging the popish faction more than they approved, he endeavoured to atone for this by concessions to the presbyterian clergy more liberal than he himself would otherwise have chosen to grant<sup>e</sup>.

In this parliament, Bothwell and all his adherents were attainted. But he soon made a new attempt to seize the king at Falkland; and James, betrayed by some of his courtiers and feebly defended by others, who wished well to Bothwell, as the chancellor's avowed enemy, owed his safety to the fidelity and vigilance of Sir Robert Melvil, and to the irresolution of Bothwell's associates<sup>f</sup>.

Scarcely was this danger over, when the nation was alarmed with the discovery of a new and more formidable conspiracy. George Ker, the Lord Newbattle's brother, being seized as he was

<sup>e</sup> Cald. iv. 248. 252. Spotsw. 386.

<sup>f</sup> Melv. 402.

ready to set sail for Spain, many suspicious papers were found in his custody, and among these, several blanks signed by the Earls of Angus, Huntly, and Errol. By this extraordinary precaution they hoped to escape any danger of discovery. But Ker's resolution shrinking when torture was threatened, he confessed that he was employed by these noblemen to carry on a negotiation with the king of Spain; that the blanks subscribed with their names were to be filled by Chrichton and Tyrie; that they were instructed to offer the faithful service of the three earls to that monarch; and to solicit him to land a body of his troops, either in Galloway, or at the mouth of Clyde, with which they undertook, in the first place, to establish the Roman Catholic religion in Scotland, and then to invade England with the whole forces of the kingdom. David Graham of Fintry, and Barclay of Ladyland, whom he accused of being privy to the conspiracy, were taken into custody, and confirmed all the circumstances of his confession<sup>s</sup>.

1593.] The nation having been kept for some time in continual terror and agitation by so many successive conspiracies, the discovery of this new danger completed the panic. All ranks of men, as if the enemy had already been at their gates, thought themselves called upon to stand forth in defence of their country. The ministers of Edinburgh, without waiting for any warrant from the king, who happened at that time to be absent from the capital, and without having received any legal commission, assembled a considerable number

<sup>s</sup> *Rymer*, xvi. 190.

peers and barons, in order to provide an instant security against the impending danger. They seized the Earl of Angus, and committed him to the castle; they examined Ker; and prepared a remonstrance to be laid before the king, concerning the state of the nation, and the necessity of prosecuting the conspirators with becoming vigour. James, though jealous of every encroachment on his prerogative, and offended with subjects, who, instead of petitioning, seemed to prescribe to him, found it necessary, during the violence of the ferment, not only to adopt their plan, but even to declare that no consideration should ever induce him to pardon such as had been guilty of so odious a treason. He summoned the Earls of Huntly and Errol to surrender themselves to justice [Jan. 8.] Graham of Fintry, whom his peers pronounced to be guilty of treason, he commanded to be publicly beheaded; and marching into the north at the head of an army, the two earls, together with Angus, who had escaped out of prison, retired to the mountains. He placed garrisons in the castles which belonged to them; compelled their vassals, and the barons in the adjacent counties, to subscribe a bond containing professions of their loyalty towards him, and of their firm adherence to protestant faith; and the better to secure tranquillity of that part of the kingdom, constituted the Earls of Athol and Marischal lieutenants there<sup>b</sup>.

Having finished this expedition, James returned to Edinburgh [March 18], where he

<sup>b</sup> Spotsw. 301. Cald. iv. 291.

Lord Borrough, an extraordinary ambassador from the court of England. Elizabeth, alarmed at the discovery of a conspiracy which she considered as no less formidable to her own kingdom than to Scotland, reproached James with his former remissness, and urged him, as he regarded the preservation of the protestant religion, or the dignity of his own crown, to punish this repeated treason with vigour; and if he could not apprehend the persons, at least to confiscate the estates, of such audacious rebels. She weakened, however, the force of these requests, by interceding at the same time in behalf of Bothwell, whom, according to her usual policy in nourishing a factious spirit among the Scottish nobles, she had taken under her protection. James absolutely refused to listen to any intercession in favour of one who had so often, and with so much outrage, insulted both his government and his person. With regard to the popish conspirators, he declared his resolution to prosecute them with vigour; but that he might be the better able to do so, he demanded a small sum of money from Elizabeth, which she, distrustful perhaps of the manner in which he might apply it, shewed no inclination to grant. The zeal, however, and importunity of his own subjects obliged him to call a parliament, in order to pass an act of attainder against the three earls. But before it met, Ker made his escape out of prison, and, on pretence that legal evidence of their guilt could not be produced, nothing was concluded against them. The king himself was universally suspected of having contrived *this artifice*, on purpose to elude



the requests of the queen of England, and to dis-appoint the wishes of his own people; and, there-fore in order to sooth the clergy, who exclaimed loudly against his conduct, he gave way to the passing of an act, which ordained such as obsti-nately contemned the censures of the church to be declared outlaws<sup>1</sup>.

While the terror excited by the popish conspi-racy possessed the nation, the court had been divided by two rival factions, which contended for the chief direction of affairs. At the head of one was the chancellor, in whom the king reposed entire confidence. For that very reason, per-haps, he had fallen early under the queen's dis-pleasure. The Duke of Lennox, the Earl of Athol, Lord Ochiltree, and all the name of Stew-art, espoused her quarrel, and widened the breach. James, fond no less of domestic tranquillity than of public peace, advised his favourite to retire, for some time, in hopes that the queen's resent-ment would subside. But as he stood in need, in the present juncture, of the assistance of an able minister, he had recalled him to court. In order to prevent him from recovering his former power, the Stewarts had recourse to an expedient no less illegal than desperate. Having combined with Bothwell, who was of the same name, they brought him back secretly into Scotland July 24]; and seizing the gates of the palace, intro-duced him into the royal apartment with a nu-merous train of armed followers. James, though deserted by all his courtiers, and incapable of resistance, discovered more indignation than

<sup>1</sup> Cald. iv. 343. Spotsw. 393. Parl. 13 Jac. VI. c. 164.

d reproaching them for their treachery, the earl to finish his treasons, by piercing the sovereign to the heart. But Bothwell fell on his knees, and implored pardon. The king consented in a condition to refuse his demands. As soon as after he signed a capitulation with this traitor, to whom he was really a prisoner, he bound himself to grant him a pardon for all past offences, and to procure the ratification of it in parliament; and in the mean time dismissed the chancellor, the master of Glendore, Home, and Sir George Home, from council and presence. Bothwell, on his departure, consented to remove from court, though he had as many of his associates as he thought necessary to prevent the return of the adverse

It was now no easy matter to keep the earl under the same kind of bondage to which he had been often subject during his minority. He had overcome so much impatience to shake off his restraints, that those who had imposed, durst not renew the restraint. They permitted him to repair to the convention of the nobles at Stirling, to repair thither himself [Sept. 7]. All his enemies, and all who were desirous of regaining the king's favour by appearing to be obedient to the summons. They pronounced the earl's departure to be a violation of the king's person and authority, and declared him absolved of all obligation to observe conditions extorted from him, and which violated so essentially his prerogative. James, however, still proffered pardon, provided he would sue for it as

an act of mercy, and promise to retire out of the kingdom. These conditions Bothwell rejected with disdain, and betaking himself once more to arms, attempted to surprise the king ; but finding him on his guard, fled to the borders<sup>k</sup>.

The king's ardour against Bothwell, compared with his slow and evasive proceedings against the popish lords, occasioned a general disgust among his subjects ; and was imputed either to an excessive attachment to the persons of those conspirators, or to a secret partiality towards their opinions ; both which gave rise to no unreasonable fears. The clergy, as the immediate guardians of the protestant religion, thought themselves bound, in a such a juncture, to take extraordinary steps for its preservation. The provincial synod of Fife happening to meet at that time [Sept. 25], a motion was made to excommunicate all concerned in the late conspiraey, as obstinate and irreclaimable papists ; and though none of the conspirators resided within the bounds of the synod, or were subject to its jurisdiction, such was the zeal of the members, that, overlooking this irregularity, they pronounced against them the sentence of excommunication, to which the act of parliament added new terrors. Lest this should be imputed to a few men, and accounted the act of a small part of the church, deputies were appointed to attend the adjacent synods, and to desire their approbation and concurrence.

An event happened a few weeks after which increased the people's suspicions of the king.

<sup>k</sup> Cald. iv. 326. Scotsw. 394.

As he was marching on an expedition against the borderers, the three popish earls coming suddenly into his presence [Oct. 17], offered to submit themselves to a legal trial; and James, without committing them to custody, appointed a day for that purpose. They prepared to appear with a formidable train of their friends and vassals. But in the mean time the clergy, together with many peers and barons, assembling at Edinburgh, remonstrated against the king's extreme indulgence with great boldness, and demanded of him, according to the regular course of justice, to commit to sure custody persons charged with the highest acts of treason, who could not be brought to a legal trial, until they were absolved from the censures of the church; and to call a convention of estates, to deliberate concerning the method of proceeding against them. At the same time they offered to accompany him in arms to the place of trial, lest such audacious and powerful criminals should overawe justice, and dictate to the judges, to whom they pretended to submit. James, though extremely offended, both with the irregularity of their proceedings, and the presumption of their demands, found it expedient to put off the day of trial, and to call a convention of estates, in order to quiet the fears and jealousies of the people. By being humoured in this point, their suspicions began gradually to abate, and the chancellor managed the convention so artfully, that he himself, together with a few other members, were empowered to pronounce a final sentence upon the conspirators. After much deliberation they ordained [Nov. 26], that the three

earls and their associates should be exempted from all further inquiry or prosecution, on account of their correspondence with Spain ; that, before the first day of February, they should either submit to the church, and publicly renounce the error of popery, or remove out of the kingdom ; that, before the first of January, they should declare which of these alternatives they would embrace ; that they should find surety for their peaceable demeanour for the future ; and that if they failed to signify their choice in due time, they should lose the benefit of this act of *abolition*, and remain exposed to all the pains of law<sup>1</sup>.

1594.] By this lenity towards the conspirator James incurred much reproach, and gained no advantage. Devoted to the popish superstition, submissive to all the dictates of their priests, and buoyed up with hopes and promises of foreign aid, the three earls refused to accept of the conditions, and continued their treasonable correspondence with the court of Spain. A convention of estates [Jan. 18] pronounced them to have forfeited the benefit of the articles which were offered ; and the king required them, by proclamation, to surrender themselves to justice. The presence of the English ambassador contributed perhaps, to the vigour of these proceedings. Elizabeth, ever attentive to James's motions, and imputing his reluctance to punish the popish lords to a secret approbation of their designs, had sent Lord Zouche to represent, once more, the danger to which he exposed himself, by this false moderation ; and to require him to exercise that rigor

which their crimes, as well as the posture of affairs, rendered necessary. Though the steps now taken by the king silenced all complaints on that head, yet Zouche, forgetful of his character as an ambassador, entered into private negotiations with such of the Scottish nobles as disapproved of the king's measures, and held almost an open correspondence with Bothwell, who, according to the usual artifice of malecontents, pretended much solicitude for reforming the disorders of the commonwealth; and covered his own ambition with the specious veil of zeal against those counsellors who restrained the king from pursuing the avowed enemies of the protestant faith. Zouche encouraged him, in the name of his mistress, to take arms against his sovereign.

Meanwhile, the king and the clergy were filled with mutual distrust of each other. They were jealous, perhaps to excess, that James's affections leaned too much towards the popish faction; he suspected them, without good reason, of prompting Bothwell to rebellion, and even of supplying him with money for that purpose. Little instigation, indeed, was wanting to rouse such a turbulent spirit as Bothwell's to any daring enterprise. He appeared suddenly within a mile of Edinburgh, at the head of four hundred horse. The pretences, by which he endeavoured to justify this insurrection, were extremely popular; zeal for religion, enmity to popery, concern for the king's honour, and for the liberties of the nation. James was totally unprovided for his own defence; he had no infantry, and was accom-

panied only with a few horsemen of Lord Home's train. In this extremity, he implored the aid of the citizens of Edinburgh, and in order to encourage them to act with zeal, he promised to proceed against the popish lords with the utmost rigour of law. Animated by their ministers, the citizens ran cheerfully to their arms, and advanced, with the king at their head, against Bothwell; but he, notwithstanding his success in putting to flight Lord Home, who had rashly charged him with a far inferior number of cavalry, retired to Dalkeith without daring to attack the king. His followers abandoned him soon after, and discouraged by so many successive disappointments could never afterwards be brought to venture into the field. He betook himself to his usual lurking-places in the north of England; but Elizabeth, in compliance with the king's remonstrances, obliged him to quit his retreat<sup>m</sup>.

No sooner was the king delivered from one danger than he was called to attend to another. The popish lords, in consequence of their negotiations with Spain, received, in the spring [April 3], a supply of money from Philip. What bold designs this might inspire, it was no easy matter to conjecture. From men under the dominion of bigotry, and whom indulgence could not reclaim, the most desperate actions were to be dreaded. The assembly of the church immediately took the alarm; remonstrated against them with more bitterness than ever; and unanimously ratified the sentence of excommunication pronounced by the synod of Fife. James himself,

provoked by their obstinacy and ingratitude, and afraid that his long forbearance would not only be generally displeasing to his own subjects, but give rise to unfavourable suspicions among the English, exerted himself with unusual vigour. He called a parliament [June 8]; laid before it all the circumstances and aggravations of the conspiracy; and though there were but few members present, and several of these connected with the conspirators by blood or friendship, he prevailed on them, by his influence and importunity, to pronounce the most rigorous sentence which the law can inflict. They were declared to be guilty of high treason, and their estates and honours forfeited. At the same time, statutes, more severe than ever, were enacted against the professors of the popish religion.

How to put this sentence in execution, was a matter of great difficulty. Three powerful barons, cantoned in a part of the country of difficult access, surrounded with numerous vassals, and supported by aid from a foreign prince, were more than an overmatch for a Scottish monarch. No intreaty could prevail on Elizabeth to advance the money necessary for defraying the expences of an expedition against them. To attack them in person, with his own forces alone, might have exposed James both to disgrace and to danger. He had recourse to the only expedient which remained in such a situation, for aiding the impotence of sovereign authority; he delegated his authority to the Earl of Argyll and Lord Forbes, the leaders of two clans at enmity with the conspirators; and gave them a commission to invade



their lands, and to seize the castles which belonged to them. Bothwell, notwithstanding all his high pretensions of zeal for the protestant religion, having now entered into a close confederacy with them, the danger became every day more urgent. Argyll, solicited by the king, and roused by the clergy, took the field at the head of seven thousand men. Huntly and Errol met him at Glenlivat, with an army far inferior in number, but composed chiefly of gentlemen of the low countries, mounted on horseback, and who brought along with them a train of field-pieces [Oct. 3]. They encountered each other with all the fury which hereditary enmity and ancient rivalry add to undisciplined courage. But the Highlanders, disconcerted by the first discharge of the cannon, to which they were little accustomed, and unable to resist the impression of cavalry, were soon put to flight; and Argyll, a gallant young man of eighteen, was carried by his friends out of the field, weeping with indignation at their disgrace, and calling on them to stand, and to vindicate the honour of their name<sup>a</sup>.

1595.] On the first intelligence of this defeat, James, though obliged to pawn his jewels in order to raise money<sup>b</sup>, assembled a small body of troops, and marched towards the north. He was joined by the Irvines, Keiths, Leslys, Forbeses, and other clans at enmity with Huntly and Errol, who having lost several of their principal followers at Glenlivat, and others refusing to bear arms against the king in person, were ob-

<sup>a</sup> Cald. iv. 408.

<sup>b</sup> Birch. Mem. i. 186.

liged to retire to the mountains. James wasted their lands ; put garrisons in some of their castles ; burnt others ; and left the Duke of Lennox as his lieutenant in that part of the kingdom, with a body of men sufficient to restrain them from gathering to any head there, or from infesting the low country. Reduced at last to extreme distress by the rigour of the season, and the desertion of their followers, they obtained the king's permission to go beyond seas, and gave security that they should neither return without his licence, nor engage in any new intrigues against the protestant religion, or the peace of the kingdom<sup>p</sup>.

By their exile, tranquillity was re-established in the north of Scotland ; and the firmness and vigour which James had displayed in his last proceedings against them, regained him, in a great degree, the confidence of his protestant subjects. But he sunk in the same proportion, and for the same reason, in the esteem of the Roman Catholics. They had asserted his mother's right to the crown of England with so much warmth, that they could not, with any decency, reject his ; and the indulgence with which he affected to treat the professors of the popish religion inspired them with such hopes, that they viewed his accession to the throne as no undesirable event. But the rigour with which the king had lately pursued the conspirators, and the severe statutes against popery to which he had given his consent, convinced them now that these hopes were visionary ; and they began to look about in quest of some new

successor, whose rights they might oppose. The papists who resided in England turned eyes towards the Earl of Essex, whose genius, though firmly established in the protestant faith, abhorred the severities inflicted in that account of religious opinions. Those of the sect, who were in exile, formed a bolder scheme and one more suitable to their situation. He advanced the claim of the infanta of Spain. Parsons the Jesuit published a book, in which by false quotations from history, by fabulous genealogies, and absurd arguments, intermixed with bitter invectives against the king of Spain, he endeavoured to prove the infanta's title to the English crown to be preferable to his. Though involved already in a war both with France and England, and scarce able to defend the main of the Burgundian provinces against the Dutch commonwealth, eagerly grasped at this airy project. The dread of a Spanish pretender to the crown, and the opposition which the papists began to form against the king's succession contributed not a little to remove the prejudice of the protestants, and to prepare the way for that event.

Bothwell, whose name has been so often mentioned as the disturber of the king's tranquillity and of the peace of the kingdom, was now in a wretched condition. Abandoned by the queen of England, on account of his confederacy with the popish lords; excommunicated by the church for the same reason; and deserted, in his distress, by his own followers; he was obliged to fly for safety to France, and thence to Spain and Italy.

where, after renouncing the protestant faith, he led many years an obscure and indigent life, remarkable only for a low and infamous debauchery. The king, though extremely ready to sacrifice the strongest resentment to the slightest acknowledgments, could never be softened by his submission, nor be induced to listen to any intercession in his behalf<sup>a</sup>.

This year the king lost chancellor Maitland, an able minister, on whom he had long devolved the whole weight of public affairs. As James loved him while alive, he wrote, in honour of his memory, a copy of verses, which, when compared with the compositions of that age, are far from being inelegant<sup>r</sup>.

Soon after his death, a considerable change was made in the administration. At that time, the annual charges of government far exceeded the king's revenues. The queen was fond of expensive amusements. James himself was a stranger to economy. It became necessary, for all these reasons, to levy the public revenues with greater order and rigour, and to husband them with more care. This important trust was committed to eight gentlemen of the law<sup>s</sup>, who, from their number, were called *Octavians*. The powers vested in them were ample, and almost unlimited. The king bound himself neither to add to their number, nor to supply any vacancy that might happen, without their consent: and knowing the fa-

<sup>a</sup> Winw. Mem. iv. Spotsw. 410.

<sup>r</sup> Spotsw. 411.

<sup>s</sup> Alexander Seaton president of the Session, Walter Stewart commendator of Blantyre lord privy seal, David Carnegie, John Lindsay, James Elphinston, Thomas Hamilton, John Skene clerk register, and Peter Young elemosynar.

cility of his own temper, agreed that no alienation of his revenue, no grant of a pension, or order on the treasury, should be held valid, unless it were ratified by the subscription of five of the commissioners; all their acts and decisions were declared to be of equal force with the sentence of judges in civil courts; and in consequence of them, and without any other warrant, any person might be arrested, or their goods seized. Such extensive jurisdiction, together with the absolute disposal of the public money, drew the whole executive part of government into their hands. United among themselves, they gradually undermined the rest of the king's ministers, and seized on every lucrative or honourable office. [1596.] The ancient servants of the crown repined at being obliged to quit their stations for new men. The favourites and young courtiers murmured at seeing the king's liberality still fettered by their prescriptions. And the clergy excluded against some of them as known apostates to popery, and suspected others of secretly favouring it. They retained their power, however, notwithstanding this general combination against them; and they owed it entirely to the care and oeconomy which they introduced into the administration of the finances, by which the necessary expences of government were more easily defrayed than in any other period of the king's reign.

The rumour of vast preparations which Philip was said to be carrying on at this time, filled England and Scotland with the dread of a

invasion. James took proper measures for the defence of his kingdom. But these did not satisfy the zeal of the clergy, whose suspicions of the king's sincerity began to revive; and as he had permitted the wives of the banished peers to levy the rents of their estates, and to live in their houses, they charged him with rendering the act of forfeiture ineffectual, by supporting the avowed enemies of the protestant faith. The assembly of the church took under consideration the state of the kingdom [March 24], and having appointed a day of public fasting, they solemnly renewed the covenant by which the nation was bound to adhere to the protestant faith, and to defend it against all aggressors. A committee, consisting of the most eminent clergymen, and of many barons and gentlemen of distinction, waited on the king, and laid before him a plan for the security of the kingdom, and the preservation of religion. They urged him to appropriate the estates of the banished lords as a fund for the maintenance of soldiers; to take the strictest precautions for preventing the return of such turbulent subjects into the country; and to pursue all who were suspected of being their adherents with the utmost rigour.

Nothing could be more repugnant to the king's schemes, or more disagreeable to his inclination, than these propositions. Averse, through his whole life, to any course where he expected opposition or danger; and fond of attaining his ends with the character of moderation, and by the arts of policy, he observed with concern the prejudices against him which were growing among the Ro-

man Catholics, and resolved to make some atonement for that part of his conduct which had drawn upon him their indignation. Elizabeth was well advanced in years; her life had lately been in danger; if any popish competitor should dispute his right of succession, a faction as powerful as that of the banished lords might be extremely formidable; and any division among his own subjects might prove fatal at a juncture which would require their united and most vigorous efforts. Instead, therefore, of the additional severities which the assembly proposed, James had thoughts of mitigating the punishment which they had already suffered. And as they were surrounded, during their residence in foreign parts, by Philip's emissaries; as resentment might dispose them to listen more favourably than to their suggestions; as despair might drive them to still more atrocious actions; he resolved to recall them, under certain conditions, into their native country. Encouraged by these sentiments of the king in their favour, of which they desired intelligence, and wearied already of the independent and anxious life of exiles, they ventured to return secretly into Scotland. Soon after they presented a petition to the king, begging permission to reside at their own houses, and offering to give security for their peaceable and faithful behaviour. James called a convention of estates to deliberate on a matter of such importance, and by their advice he granted the petition.

The members of a committee, appointed at the last general assembly, as soon as they were informed of this, met at Edinburgh, and

all the precipitancy of fear, and of zeal, took such resolutions as they thought necessary for the safety of the kingdom. They wrote circular letters to all the presbyteries in Scotland; they warned them of the approaching danger; they exhorted them to stir up the people to the defence of their just rights; they commanded them to publish, in all their pulpits, the act excommunicating the popish lords; and enjoined them to lay all those who were suspected of favouring popery under the same censure by a summary sentence, and without observing the usual formalities of trial. As the danger seemed too pressing to wait for the stated meetings of the judicatories of the church, they made choice of the most eminent clergymen in different corners of the kingdom, appointed them to reside constantly at Edinburgh, and to meet every day with the ministers of that city, under the name of the *Standing Council of the Church*, and vested in this body the supreme authority, by enjoining it, in imitation of the ancient Roman form, to take care that the church should receive no detriment.

These proceedings, no less unconstitutional than unprecedented, were manifest encroachments on the royal prerogative, and bold steps towards open rebellion. The king's conduct, however, justified in some degree such excesses. His lenity towards the papists, so repugnant to the principles of that age; his pardoning the conspirators, notwithstanding repeated promises to the contrary, the respect he paid to Lady Huntly, who was attached to the Romish religion no less than her husband; his committing the care of his daughter, the *princess Elizabeth*, to Lady Le-



vingston, who was infected with the same superstition; the contempt with which he talked, on all occasions, both of the character of ministers, and of their function; were circumstances which might have filled minds, not prone by nature to jealousy, with some suspicions; and might have precipitated into rash councils those who were far removed from intemperate zeal. But, however powerful the motives might be which influenced the clergy, or however laudable the end they had in view, they conducted their measures with no address, and even with little prudence. James discovered a strong inclination to avoid a rupture with the church, and, jealous as he was of his prerogative, would willingly have made many concessions for the sake of peace. By his command, some of the privy counsellors had an interview with the more moderate among the clergy, and inquired whether Huntly and his associates might not, upon making proper acknowledgements, be again received into the bosom of the church, and be exempted from any further punishment on account of their past apostacy and treasons. They replied, that though the gate of mercy stood always open for those who repented and returned, yet as these noblemen had been guilty of idolatry, a crime deserving death both by the law of God and of man, the civil magistrate could not legally grant them a pardon; and even though the church should absolve them, it was his duty to inflict punishment upon them. This inflexibility in those who were reckoned the most compliant of the order, filled the king with indignation, which the imprudence and obstinacy of a private clergyman

Mr David Black, minister of St Andrews, discoursing in one of his sermons, according to custom, concerning the state of the nation, affirmed that the king had permitted the popish lords to return into Scotland, and by that action had discovered the treachery of his own heart; that all kings were the devil's children; that Satan had now the guidance of the court; that the queen of England was an atheist; that the judges were miscreants and bribers; the nobility godless and degenerate; the privy counsellors cormorants, and men of no religion; and in his prayer for the queen he used these words, we must pray for her for fashion-sake, but we have no cause, she will never do us good. James commanded him to be summoned before the privy council [Nov. 10], to answer for such seditious expressions; and the clergy, instead of abandoning him to the punishment which such a petulant and criminal attack on his superiors deserved, were so imprudent as to espouse his cause, as if it had been the common one of the whole order. The controversy concerning the immunities of the pulpit, and the rights of the clergy to testify against vices of every kind, which had been agitated in one thousand five hundred and eighty-four, was now revived. It was pretended that, with regard to their sacred function, ministers were subject to the church alone; that it belonged only to their ecclesiastical superiors to judge of the truth or falsehood of doctrines delivered in the pulpit; that if, upon any pretence whatever, the king usurped this jurisdiction, the church *would, from that moment, sink under*

servitude to the civil magistrate; that, instead of reproving vice with that honest boldness which had often been of advantage to individuals, and salutary to the kingdom, the clergy would learn to flatter the passions of the prince, and to connive at the vices of others; that the king's eagerness to punish the indiscretion of a protestant minister, while he was so ready to pardon the crimes of popish conspirators, called on them to stand upon their guard, and that now was the time to contend for their privileges, and to prevent any encroachments on those rights, of which the church had been in possession ever since the reformation. Influenced by these considerations the council of the church enjoined Black to decline the jurisdiction of the privy council. Proud of such an opportunity to display his zeal, he presented a paper to that purpose, and with the utmost firmness refused to plead, or to answer the questions which were put to him. In order to add greater weight to these proceedings, the council of the church transmitted the *declinatus* to all the presbyteries throughout the kingdom and enjoined every minister to subscribe it in testimony of his approbation.

James defended his rights with no less vigour than they were attacked. Sensible of the contempt under which his authority must fall, if the clergy should be permitted publicly, and with impunity, to calumniate his ministers, and even to censure himself; and knowing, by former examples, what unequal reparation for such offences he might expect from the judicatories of the church, he urged on the inquiry into Black'

conduct, and issued a proclamation, commanding the members of the council of the church to leave Edinburgh, and to return to their own parishes. Black, instead of submitting, renewed his *declination*; and the members of the council, in defiance of the proclamation, declared, that as they met by the authority of the church, obedience to it was a duty still more sacred than that which they owed to the king himself. The privy council, notwithstanding Black's refusing to plead, proceeded in the trial; and, after a solemn inquiry, pronounced him guilty of the crimes of which he had been accused: but referred it to the king to appoint what punishment he should suffer.

Meanwhile, many endeavours were used to bring matters to accommodation. Almost every day produced some new scheme of reconciliation; but through the king's fickleness, the obstinacy of the clergy, or the intrigues of the courtiers, they all proved ineffectual. Both parties appealed to the people, and by reciprocal and exaggerated accusations endeavoured to render each other odious. Insolence, sedition, treason, were the crimes with which James charged the clergy; while they made the pulpits resound with complaints of his excessive lenity towards papists, and of the no less excessive rigour with which he oppressed the established church. Exasperated by their bold invectives, he, at last, sentenced Black to retire beyond the river Spey, and to reside there during his pleasure; and once more commanding the members of the standing council to depart from Edinburgh, he required all the ministers in the kingdom to subscribe a bond

obliging themselves to submit, in the same manner as other subjects, to the jurisdiction of the civil courts in matters of a civil nature.

This decisive measure excited all the violent passions which possess disappointed factions; a deeds no less violent immediately followed. There must be imputed in part to the artifices of some courtiers, who expected to reap advantage from the calamities of their country, or who hoped to lessen the authority of the Octavians, by engaging them in hostilities with the church. (On one hand, they informed the king that the citizens of Edinburgh were under arms every night and had planted a strong guard round the houses of their ministers. James, in order to put a stop to this imaginary insult on his government, issued a proclamation, commanding twenty-four of the principal citizens to leave the town within six hours. On the other hand, they wrote to the ministers, advising them to look to their own safety, as Huntly had been secretly admitted to an interview with the king, and had been the author of the severe proclamation against the citizens of Edinburgh<sup>a</sup>. They doubted no more the truth of this intelligence, than the king had done of that which he received, and fell blindly into the snare. The letter came to the

<sup>a</sup> Though matters were industriously aggravated by persons who wished both parties to pursue violent measures, neither of these reports was altogether destitute of foundation. As their ministers were supposed to be in danger, some of the more zealous citizens had determined to defend them by force of arms. Birch. Mem. ii. 250. Huntly had been private in Edinburgh, where he had an interview, if not with the king, at least with some of his ministers, Birch. lb. 230.

hands just as one of their number was going to mount the pulpit. They resolved that he should acquaint the people of their danger [Dec. 17] : and he painted it with all the strong colours which men naturally employ in describing any dreadful and instant calamity. When the sermon was over, he desired the nobles and gentlemen to assemble in the *Little Church*. The whole multitude, terrified at what they had heard, crowded thither ; they promised and vowed to stand by the clergy ; they drew up a petition to the king, craving the redress of those grievances of which the church complained, and beseeching him to deliver them from all future apprehensions of danger, by removing such of his counsellors as were known to be enemies of the protestant religion. Two peers, two gentlemen, two burgesses, and two ministers, were appointed to present it. The king happened to be in the great hall of the Tolbooth, where the court of session was sitting. The manner in which the petition was delivered, as well as its contents, offended him. He gave an haughty reply ; the petitioners insisted with warmth ; and a promiscuous multitude pressing into the room, James retired abruptly into another apartment, and commanded the gates to be shut behind him. The deputies returned to the multitude, who were still assembled, and to whom a minister had been reading, in their absence, the story of Haman. When they reported that the king had refused to listen to their petitions, the church was filled in a moment with noise, threatenings, execrations, and all the outrage and confusion of a popular tumult. Some called for their arms, some to bring

out the wicked Haman ; others cried, The sword of the Lord and of Gideon ; and, rushing out with the most furious impetuosity, surrounded the Tolbooth, threatening the king himself, and demanding some of his counsellors, whom they named, that they might tear them in pieces. The magistrates of the city, partly by authority, partly by force, endeavoured to quell the tumult ; the king attempted to sooth the malecontents, by promising to receive their petitions, when presented in a regular manner ; the ministers, sensible of their own rashness in kindling such a flame, seconded both ; and the rage of the populace subsiding as suddenly as it had arisen, they all dispersed, and the king returned to the palace ; happy in having escaped from an insurrection, which, though the instantaneous and unconcerted effect of popular fury, had exposed his life to imminent danger, and was considered by him as an unpardonable affront to his authority<sup>x</sup>.

As soon as he retired, the leaders of the malecontents assembled, in order to prepare their petition. The punishment of the popish lords ; the removal of those counsellors who were suspected of favouring their persons or opinions ; the repeal of all the late acts of council, subversive of the authority of the church ; together with an act approving the proceedings of the standing council ; were the chief of their demands. But the king's indignation was still so high, that the deputies chosen for this purpose durst not venture that night to present requests which could not fail of kindling his rage anew. Before next

<sup>x</sup> *Spots. 417, &c. Cald. v. 54, &c. Birch. Mem. ii. 235.*

morning, James, with all his attendants, withdrew to Linlithgow; the session, and other courts of justice, were required to leave a city where it was no longer consistent either with their safety or their dignity to remain; and the noblemen and barons were commanded to return to their own houses, and not to reassemble without the king's permission. The vigour with which the king acted, struck a damp upon the spirits of his adversaries. The citizens, sensible how much they would suffer by his absence, and the removal of the courts of justice, repented already of their conduct. The ministers alone resolved to maintain the contest. They endeavoured to prevent the nobles from dispersing; they inflamed the people by violent invectives against the king; they laboured to procure subscriptions to an association for their mutual defence; and conscious what lustre and power the junction of some of the greater nobles would add to their cause, the ministers of Edinburgh wrote to Lord Hamilton, that the people, moved by the word of God, and provoked by the injuries offered to the church, had taken arms; that many of the nobles had determined to protect the protestant religion, which owed its establishment to the piety and valour of their ancestors; that they wanted only a leader to unite them, and to inspire them with vigour; that his zeal for the good cause, no less than his noble birth, entitled him to that honour: they conjured him, therefore, not to disappoint their hopes and wishes, nor to refuse the suffering church that aid which she so much needed.



Lord Hamilton, instead of complying with their desire, carried the letter directly to the king, whom this new insult irritated to such a degree, that he commanded the magistrates of Edinburgh instantly to seize their ministers, as manifest incendiaries, and encouragers of rebellion. The magistrates, in order to regain the king's favour, were preparing to obey; and the ministers, who saw no other hope of safety, fled towards England<sup>1</sup>.

1597.] This unsuccessful insurrection, instead of overturning, established the king's authority. Those concerned in it were confounded and dispersed. The rest of James's subjects, in order to avoid suspicion, or to gain his favour, contended who should be most forward to execute his vengeance. A convention of estates being called [Jan. 3], pronounced the late insurrection to be high treason; ordained every minister to subscribe a declaration of his submission to the king's jurisdiction, in all matters civil and criminal; empowered magistrates to commit, instantly, to prison, any minister, who in his sermons, should utter any indecent reflections on the king's conduct; prohibited any ecclesiastical judicatory to meet without the king's licence; commanded that no person should be elected a magistrate of Edinburgh, for the future, without the king's approbation; and that, in the mean time, the present magistrates should either discover and inflict condign punishment on the authors of the late tumult, or the city itself should be subjected to all the penalties of that treasonable action<sup>2</sup>.

<sup>1</sup> *Spotsw.* 451. *Cald.* v. 126.

<sup>2</sup> *Cald.* v. 147.

ed with the authority of those decrees, resolved to crush entirely the mutinous his subjects. As the clergy had, hitherved their chief credit and strength from ur and zeal of the citizens of Edinburgh, care was to humble them. Though the tes submitted to him in the most abject though they vindicated themselves, and llow-citizens, from the most distant in- of violating his royal person or authority;

after the strictest scrutiny, no circum- that could fix on them the suspicion of tated rebellion had been discovered; many of the nobles, and such of the s still retained any degree of favour, in- l in their behalf; neither acknowledg- nor intercessions, were of the least avail\*. ing continued inexorable, the city was l to have forfeited its privileges as a cor- [Feb. 28], and to be liable to all the pe- of treason. The capital of the kingdom, l of magistrates, deserted by its ministers, ed by the courts of justice, and pro- by the king, remained in desolation and

The courtiers even threatened to rase to the foundation, and to erect a pillar : stood, as an everlasting monument of 's vengeance, and of the guilt of its in- s. At last, in compliance with Eliza- io interposed in their favour [March 21,] ved by the continual solicitations of the James absolved the citizens from the pe- f law, but at the same time he stripped

\* *Cald. v. 149.*

them of their most important privileges; they were neither allowed to elect their own magistrates nor their own ministers; many new burdens were imposed on them; and a considerable sum of money was exacted by way of peace offering<sup>b</sup>.

James was, meanwhile, equally assiduous, and no less successful, in circumscribing the jurisdiction of the church. Experience had discovered that to attempt this by acts of parliament, or sentences of privy council, was both ineffectual and odious. He had recourse now to an expedient more artful, and better calculated for attaining his end. The ecclesiastical judicatories were composed of many members; the majority of the clergy were extremely indigent, and not provided of legal stipends; the ministers in the neighbourhood of Edinburgh, notwithstanding the parity established by the presbyterian government, had assumed a leading in the church, which filled their brethren with envy; every numerous body of men is susceptible of sudden and strong impressions, and liable to be influenced, corrupted, or overawed. Induced by these considerations, James thought it possible to gain the clergy, whom he had in vain attempted to subvert. Proper agents were set to work all over the kingdom; promises, flattery, and threats were employed; the usurpations of the brethren near the capital were aggravated; the jealousy of their power, which was growing in the distant provinces, was augmented; and two different general assemblies were held, in both which, n

<sup>b</sup> Spotsw. 434. 444.

inding the zeal and boldness wherewith a  
 iding clergymen defended the privileges of  
 arch, a majority declared in favour of those  
 es which were agreeable to the king.  
 practices, which had continued since the  
 ation, were condemned ; many points of  
 ine, which had hitherto been reckoned  
 and uncontroverted, were given up ; the  
 : with which ministers discoursed of politi-  
 atters was restrained ; the freedom with  
 they inveighed against particular persons  
 nsured ; sentences of summary excommu-  
 n were declared unlawful ; the convoking a  
 l assembly, without the king's permission,  
 rohibited ; and the right of nominating  
 ers to the principal towns was vested in the  
 . Thus, the clergy themselves surrendered  
 ges which it would have been dangerous  
 ade, and voluntarily submitted to a yoke  
 intolerable than any James would have  
 ed to impose by force ; while such as con-  
 to oppose his measures, instead of their  
 popular topic of the king's violent en-  
 ments on a jurisdiction which did not be-  
 o him, were obliged to turn their outcries  
 t the corruptions of their own order<sup>c</sup>.  
 the authority of these general assemblies,  
 pish earls were allowed to make a public  
 ation of their errors ; were absolved from  
 ntence of excommunication ; and received  
 ie bosom of the church. But, not many  
 after, they relapsed into their former errors,  
 again reconciled to the church of Rome,

<sup>c</sup> *Spotsw. 433. Cald. v. 189. 233.*

and by their apostacy justified, in some degree the fears and scruples of the clergy with regard to their absolution.

The ministers, of Edinburgh owed to the intercession of these assemblies the liberty of returning to their charges in the city. But this liberty was clogged in such a manner as greatly abridge their power. The city was divided into distinct parishes ; the number of ministers doubled ; persons on whose fidelity the king could rely were fixed in the new parishes ; and these circumstances added to the authority of the late decrees of the church, contributed to confirm that absolute dominion in ecclesiastical affairs, which James possessed during the remainder of his reign.

The king was so intent on new-modelling the church, that the other transactions of this period scarce deserve to be remembered. The Octavians, envied by the other courtiers, and splitting into factions among themselves, resigned their commission ; and the administration of the revenue returning into its former channel, both the king and the nation were deprived of the benefit of their regular and frugal œconomy.

Towards the end of the year [Dec. 19], a parliament was held in order to restore Huntly and his associates to their estates and honours, by repealing the act of forfeiture passed against them. The authority of this supreme court was likewise employed to introduce a farther innovation into the church ; but, conformable to the system which the king had now adopted, the motion for this purpose took its rise from the clergy themselves. As the act of general annexation, and

that establishing the presbyterian government, had reduced the few bishops, who still survived, to poverty and contempt; as those who possessed the abbeyes and priories were mere laymen, and many of them temporal peers, few or none of the ecclesiastical order remained to vote in parliament, and, by means of that, the influence of the crown was considerably diminished there, and a proper balance to the power and number of the nobles was wanting. But the prejudices which the nation had conceived against the name and character of bishops were so violent, that James was obliged, with the utmost care, to avoid the appearance of a design to revive that order. [1598] He prevailed therefore on the commission appointed by the last general assembly to complain to the parliament, that the church was the only body in the kingdom destitute of its representatives in that supreme court, where it so nearly concerned every order to have some, who were bound to defend its rights; and to crave that a competent number of the clergy should be admitted, according to ancient custom, to a seat there. In compliance with this request, an act was passed, by which those ministers, on whom the king should confer the vacant bishoprics and abbeyes, were entitled to a vote in parliament; and that the clergy might conceive no jealousy of any encroachment upon their privileges, it was remitted to the general assembly, to determine what spiritual jurisdiction or authority in the government of the church these persons should possess<sup>a</sup>.

The king, however, found it no easy matter to

<sup>a</sup> Spotsw. 450. Parl. 15th Jac. VI. c. 235.

obtain the concurrence of the ecclesiastical judicatories, in which the act of parliament met with a fierce opposition. Though the clergy perceived how much lustre this new privilege would reflect upon their order ; though they were not insensible of the great accession of personal power and dignity, which many of them would acquire, by being admitted into the supreme council of the nation, their abhorrence of episcopacy was extreme ; and to that they sacrificed every consideration of interest or ambition. All the king's professions of regard for the present constitution of the church did not convince them of his sincerity ; all the devices that could be invented for restraining and circumscribing the jurisdiction of such as were to be raised to this new honour, did not diminish their jealousy and fear. Their own experience had taught them, with what insinuating progress the hierarchy advances, and though admitted at first with moderate authority, and under specious pretences, how rapidly it extends its dominion. " Varnish over this scheme," said one of the leading clergymen, " with what colours you please ; deck the intruder with the utmost art ; under all this disguise, I see the horns of his mitre." The same sentiments prevailed among many of his brethren, and induced them to reject power and honours, with as much zeal as ever those of their order courted them. Many, however, were allured by the hopes of preferment ; the king himself and his ministers employed the same arts which they had tried so successfully last year ; and after long debates, and much opposition, the general assembly declared

[March 7], that it was lawful for ministers to accept of a seat in parliament; that it would be highly beneficial to the church to have its representatives in that supreme court; and that fifty-one persons, a number nearly equal to that of the ecclesiastics, who were anciently called to parliament, should be chosen from among the clergy for that purpose. The manner of their election, together with the powers to be vested in them, were left undecided for the present, and furnished matter of future deliberation<sup>c</sup>.

1599.] As the prospect of succeeding to the crown of England drew nearer, James multiplied precautions in order to render it certain. As he was allied to many of the princes of Germany by his marriage, he sent ambassadors extraordinary to their several courts, in order to explain the justness of his title to the English throne, and to desire their assistance, if any competitor should arise to dispute his undoubted rights. These princes readily acknowledged the equity of his claim; but the aid which they could afford him was distant and feeble. At the same time, Edward Bruce, abbot of Kinloss, his ambassador at the English court, solicited Elizabeth, with the utmost warmth, to recognize his title by some public deed, and to deliver her own subjects from the calamities which are occasioned by an uncertain or disputed succession. But age had strengthened all the passions which had hitherto induced Elizabeth to keep this great question obscure and undecided; and a general and evasive answer was all that James could obtain. *As no*

<sup>c</sup> *Spotsw. 450. Cald. v. 278.*



impression could be made on the queen, the ambassador was commanded to sound the disposition of her subjects, and to try what progress he could make in gaining them. Bruce possessed all the talents of secrecy, judgment, and address, requisite for conducting a negotiation no less delicate than important. A minister of this character was entitled to the confidence of the English. Many of the highest rank unbosomed themselves to him without reserve, and gave him repeated assurances of their resolution to assert his master's right, in opposition to every pretender<sup>f</sup>. As several pamphlets were dispersed, at this time, in England, containing objections to his title, James employed some learned men in his kingdom to answer these cavillers, and to explain the advantages which would result to both kingdoms by the union of the crowns. These books were eagerly read, and contributed not a little to reconcile the English to that event. A book published this year by the king himself, produced an effect still more favourable. It was intitled *Basilicon Doron*, and contained precepts concerning the art of government, addressed to prince Henry his son. Notwithstanding the great alterations and refinements in national taste since that time, we must allow this to be no contemptible performance, and not to be inferior to the works of most contemporary writers, either in purity of style or justness of composition. Even the vain parade of erudition with which it abounds, and which now disgusts us, raised the admiration of that age; and as it was filled with

<sup>f</sup> Johnst. 242.

those general rules which speculative authors deliver for rendering a nation happy, and of which James could discourse with great plausibility, though often incapable of putting them in practice, the English conceived an high opinion of his abilities, and expected an increase of national honour and prosperity, under a prince so profoundly skilled in politics, and who gave such a specimen both of his wisdom and of his love to his people<sup>s</sup>.

The queen of England's sentiments concerning James were very different from those of her subjects. His excessive indulgence towards the popish lords ; the facility with which he pardoned their repeated treasons ; his restoring Beaton, the popish archbishop of Glasgow, who had fled out of Scotland at the time of the Reformation, to the possession of the temporalities of that benefice ; the appointing him his ambassador at the court of France ; the applause he bestowed, in the Basilicon Doron, on those who adhered to the queen his mother ; Elizabeth considered as so many indications of a mind alienated from the protestant religion ; and suspected that he would soon revolt from the profession of it. These suspicions seemed to be fully confirmed by a discovery which came from the master of Gray, who resided at that time in Italy, and who, rather than suffer his intriguing spirit to be idle, demeaned himself so far as to act as a spy for the English court. He conveyed to Elizabeth the copy of a letter, written by James to pope Clement VIII. in which he king, after many expressions of regard for

<sup>s</sup> Camd. Spotew. 457.

that pontiff, and of gratitude for his favours, declared his firm resolution to treat the Roman catholics with indulgence; and, in order to render the intercourse between the court of Rome and Scotland, more frequent and familiar, he solicited the pope to promote Drummond, bishop of Vaison, a Scotsman, to the dignity of a cardinal<sup>b</sup>. Elizabeth, who had received by another channel some imperfect intelligence of this correspondence, was filled with just surprise, and immediately dispatched Bowes into Scotland, to inquire more fully into the truth of the matter, and to reproach James for an action so unbecoming a protestant prince. He was astonished at the accusation, and with a confidence which nothing but the consciousness of innocence could inspire, affirmed the whole to be a mere calumny, and the letter itself to be forged by his enemies, on purpose to bring his sincerity in religion to be suspected. Elphinston the secretary of state denied the matter with equal solemnity. It came, however, to be known by a very singular accident, which happened some years after, that the information which Elizabeth had received was well founded, though at the same time the king's declarations of his own innocence were perfectly consistent with truth. Cardinal Bellarmine, in a reply which he published to a controversial treatise, of which the king was the author, accused him of having abandoned the favourable sentiments which he had once entertained of the Roman catholic religion, and, as a proof of this, quoted

<sup>b</sup> Cald. 333.

<sup>i</sup> Winw. Mem. vol. i. 37. 52.

his letter to Clement VIII. It was impossible any longer to believe this to be a fiction ; and it was a matter too delicate to be passed over without strict inquiry. James immediately examined Elphinston, and his confession unravelled the whole mystery. He acknowledged that he had shuffled in this letter among other papers, which he laid before the king to be signed, who, suspecting no such deceit, subscribed it together with the rest, and without knowing what it contained ; that he had no other motive, however, to this action, but zeal for his majesty's service ; and, by flattering the Roman catholics with hopes of indulgence under the king's government, he imagined that he was paving the way for his more easy accession to the English throne. The privy council of England entertained very different sentiments of the secretary's conduct. In their opinion, not only the king's reputation had been exposed to reproach, but his life to danger, by this rash imposture ; they even imputed the gun-powder treason to the rage and disappointment of the papists, upon finding that the hopes which this letter inspired were frustrated. The secretary was sent a prisoner into Scotland, to be tried for high treason. His peers found him guilty, but, by the queen's intercession, he obtained a pardon<sup>k</sup>.

According to the account of other historians, James himself was no stranger to this correspondence with the pope ; and, if we believe them, Elphinston, being intimidated by the threats of the English council, and deceived by the artifices

<sup>k</sup> State Trials, i. 429. Spots. 456. 507. Johnst. 448.

of the Earl of Dunbar, concealed some circumstances in his narrative of this transaction, and falsified others; and at the expence of his own fame, and with the danger of his life, endeavoured to draw a veil over this part of his master's conduct<sup>1</sup>.

But whether we impute the writing of this letter to the secretary's officious zeal, or to the king's command, it is certain, that, about this time, James was at the utmost pains to gain the friendship of the Roman catholic princes, as a necessary precaution towards facilitating his accession to the English throne. Lord Home, who was himself a papist, was entrusted with a secret commission to the pope<sup>m</sup>; the archbishop of Glasgow was an active instrument with those of his own religion<sup>n</sup>. The pope expressed such favourable sentiments both of the king, and of his right to the crown of England, that James thought himself bound, some years after, to acknowledge the obligation in a public manner<sup>o</sup>. Sir James Lindsay made great progress in gaining the English papists to acknowledge his majesty's title. Of all these intrigues Elizabeth received obscure hints from different quarters. The more imperfectly she knew, the more violently she suspected the king's designs; and the natural jealousy of her temper increasing with age, she observed his conduct with greater solitude than ever.

1600.] The questions with regard to the election and power of the representatives of the

<sup>1</sup> Cald. vol. v. 322. vi. 147.

<sup>m</sup> Winw. Mem. vol. ii. 57.

<sup>n</sup> Cald. vol. vi. 147.

<sup>o</sup> Cald. vol. v. 604.

church were finally decided this year by the general assembly, which met at Montrose [March 28.] That place was chosen as most convenient for the ministers of the north, among whom the king's influence chiefly lay. Although great numbers resorted from the northern provinces, and the king employed his whole interest, and the authority of his own presence, to gain a majority, the following regulations were with difficulty agreed on. That the general assembly should recommend six persons to every vacant benefice, which gave a title to a seat in parliament, out of whom the king should nominate one; that the person so elected, after obtaining his seat in parliament, shall neither propose, nor assent to any thing there, that may affect the interest of the church, without special instructions to that purpose; that he shall be answerable for his conduct to every general assembly, and submit to its censure, without appeal, upon pain of fame and excommunication; that he shall discharge the duties of a pastor, in a particular congregation; that he shall not usurp any ecclesiastical jurisdiction, superior to that of his other brethren; that if the church inflict on him the censure of deprivation, he shall thereby forfeit his seat in parliament; that he shall annually resign his commission to the general assembly, which may be restored to him, or not, as the assembly, with the king's approbation, shall judge most expedient for the good of the church. Nothing could be more repugnant to the idea of episcopal government, than these regulations.

It was not in consequence of rights derived from their office, but of powers conferred by a commission, that the ecclesiastical persons were to be admitted to a seat in parliament; they were the representatives, not the superiors, of the clergy. Destitute of all spiritual authority, even their civil jurisdiction was temporary. James, however, flattered himself that they would soon be able to shake off these fetters, and gradually acquire all the privileges which belonged to the episcopal order. The clergy dreaded the same thing; and of course he contended for the nomination of these commissioners. and they opposed it, not so much on account of the powers then vested in them, as of those to which it was believed they would soon attain<sup>1</sup>.

During this summer the kingdom enjoyed an unusual tranquillity. The clergy, after many struggles, were brought under great subjection; the popish earls were restored to their estates and honours, by the authority of parliament, and with the consent of the church; the rest of the nobles were at peace among themselves, and obedient to the royal authority; when, in the midst of this security, the king's life was exposed to the utmost danger, by a conspiracy altogether unexpected, and almost inexplicable. The authors of it were John Ruthven, Earl of Gowrie, and his brother Alexander, the sons of that earl who was beheaded in the year one thousand five hundred and eighty-four. Nature had adorned both these young men, especially the elder brother, with many accomplishments,

<sup>1</sup> Spotsw. 451.

sons of their rank ; more religious than is com-  
at their age of life ; generous, brave, popu-  
their countrymen, far from thinking them  
able of any atrocious crime, conceived the most  
guine hopes of their early virtues. Notwith-  
ding all these noble qualities, some unknown  
ive engaged them in a conspiracy, which, if  
adhere to the account commonly received,  
t be transmitted to posterity as one of the  
t wicked, as well as one of the worst concert-  
of which history makes any mention.

On the fifth of August, as the king, who re-  
d during the hunting season in his palace of  
dland, was going out to his sport early in the  
ning, he was accosted by Mr Alexander Ruth-  
who, with an air of great importance, told  
king, that the evening before he had met an  
nown man, of a suspicious aspect, walking  
e in a by-path, near his brother's house at  
th ; and on searching him had found under  
cloak a pot filled with a great quantity of fo-  
n gold ; that he had immediately seized both  
and his treasure, and without communicating  
matter to any person, had kept him confined  
bound in a solitary house ; and that he thought  
is duty to impart such a singular event first  
all to his majesty. James immediately sus-  
ted this unknown person to be a seminary  
st, supplied with foreign coin, in order to ex-  
new commotions in the kingdom ; and resolv-  
to empower the magistrates of Perth to call  
person before them, and inquire into all the



circumstances of the story. Ruthven violently opposed this resolution, and with many arguments urged the king to ride directly to Perth, and to examine the matter in person. Meanwhile the chace began; and James, notwithstanding his passion for that amusement, could not help ruminating upon the strangeness of the tale, and on Ruthven's importunity. At last, he called him, and promised, when the sport was over, to set out for Perth. The chace, however, continued long; and Ruthven, who all the while kept close by the king, was still urging him to make haste. At the death of the buck he would not allow James to stay till a fresh horse was brought him; and observing the Duke of Lennox and the Earl of Mar preparing to accompany the king, he entreated him to countermand them. This James refused; and though Ruthven's impatience and anxiety, as well as the apparent perturbation in his whole behaviour, raised some suspicions in his mind; yet his own curiosity, and Ruthven's solicitations, prevailed on him to set out for Perth. When within a mile of the town, Ruthven rode forward to inform his brother of the king's arrival, though he had already dispatched two messengers for that purpose. At a little distance from the town, the Earl, attended by several of the citizens, met the king, who had only twenty persons in his train. No preparations were made for the king's entertainment; the Earl appeared pensive and embarrassed, and was at no pains to atone, by his courtesy or hospitality, for the bad fare with which he treated his guests. When the king's repast was over, his attendants were led to dine in another

room, and he being left almost alone, Ruthven whispered him, that now was the time to go to the chamber where the unknown person was kept. James commanded him to bring Sir Thomas Erskine along with them; but, instead of that, Ruthven ordered him not to follow: and conducting the king up a stair-case, and then through several apartments, the doors of which he locked behind him, led him at last into a small study, in which there stood a man clad in armour, with a sword and dagger by his side. The king, who expected to have found one disarmed and bound, started at the sight, and inquired if this was the person; but Ruthven, snatching the dagger from the girdle of the man in armour, and holding it to the king's breast, "Remember," said he, "how unjustly my father suffered by your command; you are now my prisoner; submit to my disposal without resistance or outcry; or this dagger shall instantly avenge his blood." James expostulated with Ruthven, entreated, and flattered him. The man whom he found in the study stood, all the while, trembling, and dismayed, without courage either to aid the king, or to second his aggressor. Ruthven protested that if the king raised no outcry, his life should be safe; and, moved by some unknown reason, retired in order to call his brother, leaving to the man in armour the care of the king, whom he bound by oath not to make any noise during his absence.

While the king was in this dangerous situation, his attendants growing impatient to know whether he had retired, one of Gowrie's domestics entered the room hastily, and told them that the

king had just rode away towards Falkland. A of them rushed out into the street ; and the Ea in the utmost hurry, called for their horses. B by this time his brother had returned to the kin and swearing that now there was no remedy, must die, offered to bind his hands. Unarm as James was, he scorned to submit to that indinuity ; and closing with the assassin, a fierce struggle ensued. The man in armour stood, as formerly, amazed and motionless ; and the king dragging Ruthven towards a window, which during his absence he had persuaded the person with whom he was left to open, cried, with a wild and affrighted voice, " Treason ! Treason ! Help ! I am murdered !" His attendants heard, and knew the voice ; and saw, at the window, a hand which grasped the king's neck with violence. They flew with precipitation to his assistance. Lennox and Mar, with the greater number, ran up the principal staircase, where they found the doors shut, which they battered with the utmost fury, endeavouring to burst them open. But Sir John Ramsay, entering by a back-staircase which led to the apartment where the king was, found the door open ; and rushing upon Ruthven who was still struggling with the king, struck him twice with his dagger, and thrust him towards the staircase, where Sir Thomas Erskine and Hugh Herries met, and killed him ; he crying with his last breath, " Alas ! I am not to blame for this action." During this scuffle, the man who had been concealed in the study escaped unobserved. Together with Ramsay, Erskine and Herries, one Wilson, a footman, entered t

room where the king was, and before they had time to shut the door, Gowrie rushed in with a drawn sword in each hand, followed by seven of his attendants well armed, and with a loud voice threatened them all with instant death. They immediately thrust the king into the little study, and shutting the door upon him, encountered the Earl. Notwithstanding the inequality of numbers, Sir John Ramsay pierced Gowrie through the heart, and he fell down dead without uttering a word; his followers having received several wounds, immediately fled. Three of the king's defenders were likewise hurt in the conflict. A dreadful noise continued still at the opposite door, where many persons laboured in vain to force a passage; and the king being assured that they were Lennox, Mar, and his other friends, it was opened on the inside. They ran to the king, whom they unexpectedly found safe, with transports of congratulation, and he, falling on his knees, with all his attendants around him, offered solemn thanks to God for such a wonderful deliverance. The danger, however, was not yet over. The inhabitants of the town, whose provost Gowrie was, and by whom he was extremely beloved, hearing the fate of the two brothers, ran to their arms, and surrounded the house, threatening revenge, with many insolent and opprobrious speeches against he king. James endeavoured to pacify the enraged multitude, by speaking to them from the window; he admitted their magistrates into the house; related to them all the circumstances of the fact; and, their fury subsiding by degrees, they dispersed. On searching the Earl's pockets for papers

that might discover his designs and accomplices, nothing was found but a small parchment bag, full of magical characters and words of enchantment; and if we may believe the account of the conspiracy published by the king, "while these" "were about him, the wound of which he died," "bled not; but as soon as they were taken away," "the blood gushed out in great abundance." After all the dangerous adventures of this busy day, the king returned in the evening to Falkland, having committed the dead bodies of the two brothers to the custody of the magistrates of Perth.

Notwithstanding the minute detail which the king gave of all the circumstances of this conspiracy against his life, the motives which induced the two brothers to attempt an action so detestable, the end they had in view, and the accomplices on whose aid they depended, were altogether unknown. The words of Ruthven to the king gave some grounds to think that the desire of revenging their father's death had instigated them to this attempt. But, whatever injuries their father had suffered, it is scarcely probable that they could impute them to the king, whose youth, as well as his subjection at that time to the violence of a faction, exempted him from being the object of resentment, on account of actions which were not done by his command. James had even endeavoured to repair the wrongs which the father had suffered, by benefits to his children; and Gowrie himself sensible of his favour, had acknowledged it with the warmest expressions of gratitude. Three of the Earl's attendants, being convicted of assisting him in this assault on the king's

servants, were executed at Perth ; but they could give no light into the motives which had prompted their master to an action so repugnant to these acknowledgments. Diligent search was made for the person concealed in the study, and from him great discoveries were expected. But Andrew Henderson, the Earl's steward, who, upon a promise of pardon, confessed himself to be the man, was as much a stranger to his master's design as the rest ; and though placed in the study by Gowrie's command, he did not even know for what end that station had been assigned him. The whole transaction remained as impenetrably dark as ever ; and the two brothers, it was concluded, had concerted their scheme without either confident or accomplice, with unexampled secrecy as well as wickedness.

An accident, no less strange than the other circumstances of the story, and which happened nine years after, discovered that this opinion, however plausible, was ill-founded ; and that the two brothers had not carried on their machinations all alone. One Sprot, a notary, having whispered among several persons that he knew some secrets relating to Gowrie's conspiracy, the privy council thought the matter worthy of their attention, and ordered him to be seized. His confession was partly voluntary, and partly forced from him by torture. According to his account, Logan of Restalrig, a gentleman of an opulent fortune, but of dissolute morals, was privy to all Gowrie's intentions, and an accomplice in his crimes. Mr Ruthven, he said, had frequent interviews with Logan, in order to concert the plan

of their operations; the Earl had corresponded with him to the same purpose; and one Bour, Logan's confident, was trusted with the secret and carried the letters between them. Both Logan and Bour were now dead. But Sprot affirmed that he had read letters written both by Gowrie and Logan on that occasion; and in confirmation of his testimony, several of Logan's letters, which a curiosity fatal to himself had prompted Sprot to steal from among Bour's papers, were produced<sup>r</sup>. These were compared, by the privy council, with papers of Logan's hand-writing, and the resemblance was manifest. Persons of undoubted credit, and well qualified to judge of the matter, examined them, and swore to their authenticity. Death itself did not exempt Logan from prosecution; his bones were dug up and tried for high treason, and by a sentence, equally odious and illegal<sup>s</sup>, his lands were forfeited, and his po-

<sup>r</sup> Logan's letters were five in number; one to Bour, another to Gowrie, and three of them without any direction; nor could Sprot discover the name of the person to whom they were written. Logan gives him the appellation of *Right Honourable*. It appears from this however and from other words in the letter, *Crom.* 95. that there were several persons privy to the conspiracy. The date of the first letter is July 18th. Mr Ruthven had communicated the matter to Logan only five days before, *ib.* It appears from the original *summons of forfeiture* against Logan's heirs, that Bour, though he had letters addressed to him with regard to a conspiracy equally dangerous and important, was so illiterate that he could not read. "Jacobus Bour, literarum prorens ignarus, dicti Georgii opera in legendis omnibus scriptis ad eum missis, vel pertinentibus, utebatur." This is altogether strange; and nothing but the capricious character of Logan can account for his choosing such a confident.

<sup>s</sup> By the Roman law, persons guilty of the crime of high treason might be tried even after death. This practice was

sterity declared infamous. Sprot was condemned to be hanged for misprision of treason. He adhered to his confession to the last, and having pro-

adopted by the Scots, without any limitation, Parl. 1540. c. 69. But the unlimited exercise of this power was soon conceived to be dangerous: and the crown was laid under proper restrictions, by an act A. D. 1542, which has never been printed. The words of it are, "And because the said lords (i. e. the lords of articles) think the said act (viz. in 1540) too general, and prejudicial to the barons in the realm, therefore statutes and ordains that the said act shall have no place in time coming, but against the heirs of them that notoriously commit or shall commit lese majesty against the king's person, against the realm for averting the same, and against them that shall happen to betray the king's army allenarly, and being notourly known in their time: and the heirs of these persons to be called and judged within five years after the decease of the said persons committers of the said crimes; and the said time being bypast, the said heirs never to be pursued for the same." The sentence against Logan violated this statute in two particulars. He was not notourly known during his life to be an accomplice in the crime for which he was tried; and his heir was called in question more than five years after his death. It is remarkable that this statute seems not to have been attended to in the parliament which forfeited Logan. Another singular circumstance deserves notice. As it is a maxim of justice that no person can be tried in absence; and as lawyers are always tenacious of their forms, and often absurd in their devices for preserving them, they contrived that in any process against a dead person, his corpse or bones shall be presented at the bar. Examples of this occur frequently in the Scottish history. After the battle of Corrichie, the dead body of the Earl of Huntly was presented in parliament, before sentence of *forfeiture* was pronounced against him. For the same reason the bodies of Gowrie and his brother were preserved, in order that they might be produced in parliament. Logan's bones, in compliance with the same rule, were dug up. Mackenz. *Crim. Law, Book i. Tit. 6. § 22.*



mised, on the scaffold, to give the spectators a sign in confirmation of the truth of what he had deposed, he thrice clapped his hands after he was thrown off the ladder by the executioner<sup>t</sup>.

<sup>t</sup> It appears that archbishop Spotswood was present at the execution of Sprut, *Crom.* 115. and yet he seems to have given no credit to his discoveries. The manner in which he speaks of him is remarkable: "Whether or not I should mention the arraignment and execution of George Sprut who suffered at Edinburgh, I am doubtful; his confession though voluntary and constant, carrying small probability. The man deposed, &c. It seemed to be a very fiction, a mere invention of the man's own brain, for neither did it shew the letter, nor could any wise man think that Gowrie who went about the treason so secretly, would have communicated the matter to such a man as Logan was known to be," 508. Spotswood could not be ignorant of the solemnity with which Logan had been tried, and of the probability brought of the authenticity of his letters. He himself was probably present in parliament at the trial. The Earl of Dunbar, of whom he always speaks with the highest respect, was the person who directed the process against Logan. Such a peremptory declaration against the truth of Sprut's evidence, notwithstanding all these circumstances, is surprising. Sir Thomas Hamilton, the king's advocate at that time, and afterwards Earl of Haddington, represents the production at Logan's trial as extremely convincing: and an original letter of his to the king, the 21st June 1606 (in Bibl. Facult. Jurid.) after mentioning the manner in which the trial had been conducted, he thus goes on:

"When the probation of the summons was referred to the lords of articles votes, they found uniformly, all in one voice, the said summons to be so clearly proved, that it seemed to contend who should be able most zealously to press the satisfaction of his heart. not only by the most pithy words, but by tears of joy; diverse of the best men confessing; that that whereof they doubted at their entrance into the house was now so manifest, that they behoved to esteem them traitors who should any longer refuse to declare their assured resolution of the truth of that treason."

But though it be thus unexpectedly discovered that Gowrie did not act without associates, little additional light is thrown, by this discovery, on the motives and intention of his conduct. It appears almost incredible that two young men of such distinguished virtue should revolt all at once from their duty, and attempt a crime so atrocious, as the murder of their sovereign. It appears still more improbable that they should have concerted their undertaking with so little foresight and prudence. If they intended that the deed should have remained concealed, they could not have chosen a more improper scene for executing it, than their own house. If they intended that Henderson should have struck the blow, they could not have pitched on a man more destitute of the courage that must direct the hand of an assassin; nor could they expect that he, unsolicited, and unacquainted with their purpose, would venture on such a desperate action. If Ruthven meant to stab the king with his own hand, why did he withdraw the dagger, after it was pointed at his breast? How could he leave the king, after such a plain declaration of his intention? Was it not preposterous to commit him to the keeping of such a timid associate as Henderson? For what purpose did he waste time in binding the hands of an unarmed man, whom he might easily have dispatched with his sword? Had Providence permitted them to embue their hands in the blood of their sovereign, what advantage could have accrued to them by his death? and what claims or pretensions could they have op-

posed to the rights of his children<sup>u</sup>? Inevitable and instant vengeance, together with perpetual infamy, were the only consequences they could expect to follow such a crime.

On the other hand, it is impossible to believe that the king had formed any design against the life of the two brothers. They had not incurred his indignation by any crime; and were in no degree the objects of his jealousy or hatred<sup>z</sup>.

<sup>u</sup> It has been asserted, that, in consequence of the king's death, the Earl of Gowrie might have pretended to the crown of England, as the son of Dorothea Stewart, daughter of Lord Methven by Margaret of England, who, after her divorce from the Earl of Angus, took that nobleman for her third husband. Burnet Hist. of his own times. But this assertion is ill-founded. It appears, from undoubted evidence, that Lord Methven had only one child by Queen Margaret, which died in its infancy, and Dorothea Lady Ruthven was not the daughter of Queen Margaret, but of Janet Stewart, Lord Methven's second wife, a daughter of John Earl of Athol, *Crawf. Peer.* 329. And though Gowrie had really been descended from the blood-royal of England the king at that time had a son and a daughter; and beside them, Lady Arabella Stewart, daughter of Charles Earl of Lennox, had a preferable title to the crown of England.

<sup>z</sup> Sir Henry Neville, in a letter to Sir Ralph Winwood imputes the death of the two brothers to a cause not mentioned by any of our historians. "Out of Scotland we hear that there is no good agreement, but rather an open difference, betwixt the king and his wife, and many are of opinion that the discovery of some affection between her and the Earl of Gowrie's brother (who was killed with him) was the truest cause and motive of that tragedy." *Winw. Mem.* vol. i. 274. Whether the following passages in Nicholson's letter be any confirmation of that suspicion, is submitted to the reader. In his letter, Sept. 22, 1602, he mentions the return of Gowrie's two younger brothers into Scotland, and adds, "The coming in of these two, and the queen of Scot

nor was he of a spirit so sanguinary, or so noted for rash and desperate valour, as to have attempted to murder them in their own house, where they were surrounded with many domestics, he only with a slender and unarmed train; where they could call to their assistance the inhabitants of a city at the devotion of their family, while he was at a distance from all aid; and least of all would he have chosen for his associates in such an enterprise, the Earl of Mar and the Duke of Leunox, the former connected in close friendship with the house of Gowrie, and the latter married to one of the Earl's sisters.

Whichsoever of these opposite systems we embrace; wether we impute the intention of murder to Gowrie, or to the king; insuperable difficulties arise, and we are involved in darkness, mystery, and contradictions. Perhaps the source of the whole conspiracy ought to be searched for deeper, and by deriving it from a more

dealing with them, and sending away and furnishing Mrs. Beatrix [their sister] with such information as Sir Thomas Erskine has given, hath bred great suspicion in the king of Scots that they come not in but upon some dangerous plot." In another letter, January 1, 1603, "The day of writing my last, Mrs Beatrix Ruthven was brought by the Lady Paisley, and Mrs of Angus, as one of their gentlewomen, into the court in the evening, and stowed in a chamber prepared for her by the queen's direction, where the queen had much time and conference with her. Of this the king got notice, and shewed his dislike thereof to the queen, gently reproving her for it, and examining quietly of the queen's servants of the same, and of other matters thereunto belonging, with such discretion and secrecy as requires such a matter."

remote cause, we may discover it to be less criminal.

To keep the king of Scots in continual dependence, was one great object of Elizabeth's policy. In order to this, she sometimes soothed him, and sometimes bribed his ministers and favourites; and when she failed of attaining her end by these means, she encouraged the clergy to render any administration which she distrusted unpopular, by denouncing it, or stirred up some faction of the nobles to oppose and to overturn it. In that fierce age, men little acquainted with the arts of undermining a ministry by intrigue, had recourse to the ruder practice of rendering themselves masters of the king's person, that they might thereby obtain the direction of his councils. Those nobles, who seized the king at the *Raid of Ruthven*, were instigated and supported by Elizabeth. Bothwell, in his wild attempts, enjoyed her protection, and when they miscarried, he was secure of a retreat in her dominions. The connexions which James had been forming of late with the Roman catholic princes, his secret negotiations in England with her subjects, and the maxims by which he governed his own kingdom, all contributed to excite her jealousy. She dreaded some great revolution in Scotland to be approaching, and it was her interest to prevent it. The Earl of Gowrie was one of the most powerful of the Scottish nobles, and descended from ancestors warmly attached to the English interest. He had adopted the same system, and believed the welfare of his country to be inseparably connected with the subsistence of the alliance between the two kin-

doms. During his residence at Paris, he had contracted an intimate friendship with Sir Henry Neville, the queen's ambassador there, and was recommended by him to his court, as a person of whom great use might be made. Elizabeth received him, as he passed through England, with distinguished marks of respect and favour. From all these circumstances a suspicion may arise, that the plan of the conspiracy against the king was formed at that time, in concert with her. Such a suspicion prevailed in that age, and from the letters of Nicholson, Elizabeth's agent in Scotland, it appears not to be destitute of foundation. An English ship was observed hovering for some time, in the mouth of the Frith of Forth. The Earl's two younger brothers fled into England after the ill success of the conspiracy, and were protected by Elizabeth. James himself, though he prudently concealed it, took great umbrage at her behaviour. None, however, of Elizabeth's intrigues in Scotland tended to hurt the king's person, but only to circumscribe his authority, and to thwart his schemes. His life was the surest safe-guard of her own, and restrained the popish pretenders to her crown, and their abettors, from desperate attempts, to which their impatience and bigotry might, otherwise, have urged them on. To have encouraged Gowrie to murder his sovereign, would, on her part, have been an act of the utmost imprudence. Nor does this seem to have been the intention of the two brothers. Mr Ruthven, first of all, endeavoured to decoy the king to Perth without any attendants. When

these proved more numerous than was expected, the Earl employed a stratagem in order to separate them from the king, by pretending that he had rode away towards Falkland, and by calling hastily for their horses, that they might follow him. By their shutting James up, meanwhile, in a distant corner of the house, and by attempting to bind his hands, their design seems to have been rather to seize than to assassinate him. 'Though Gowrie had not collected his followers in such numbers as to have been able to detain him long a prisoner, in that part of the kingdom, by open force, he might soon have been conveyed aboard the English ship, which waited perhaps to receive him, and he might have been landed at Fast-castle, a house of Logan's, in which, according to many obscure hints in his letters, some rendezvous of the conspirators was to be held. Amidst the surprise and terror into which the king must have been thrown by the violence offered to him, it was extremely natural for him to conclude that his life was sought. It was the interest of all of his followers to confirm him in this belief and to magnify his danger, in order to add to the importance and merit of their own services. Thus his fear, and their vanity, aided by the credulity and wonder which the contemplation of any great and tragical event, when not fully understood, is apt to inspire, augmented the whole transaction. On the other hand, the extravagance and improbability of the circumstances which were added, detracted from the credit of those which really happened; and even furnished pretences for calling in question the truth of the whole conspiracy.

The account of what had happened at Perth reached Edinburgh next morning. The privy council commanded the ministers of that city instantly to assemole their people; and after relating to them the circumstances of the conspiracy formed against the king's life, to return public thanks to God, for the protection which he had so visibly afforded him. But as the first accounts transmitted to Edinburgh, written in a hurry, and while the circumstances of the conspiracy were but imperfectly known, and the passions which it excited strongly felt, were indistinct, exaggerated, and contradictory, the ministers laid hold of this; and though they offered to give public thanks to God for the king's safety, they refused to enter into any detail of particulars, or to utter from the chair of truth, what appeared to be still dubious and uncertain.

A few days after, the king returned to Edinburgh; and though Galloway, the minister of his own chapel, made an harangue to the people at the public cross, in which he recited all the circumstances of the conspiracy; though James himself, in their hearing, confirmed his account; though he commanded a narrative of the whole transaction to be published; the ministers of that city, as well as many of their brethren, still continued incredulous and unconvinced. Their high esteem of Gowrie, their jealousy of every part of the king's conduct, added to some false and many improbable circumstances in the narrative, not only led them to suspect the whole, but gave their suspicions an air of credibility. But at length, the *king*, partly by arguments, partly



by threats, prevailed on all of them, except Mr Robert Bruce, to own that they were convinced of the truth of the conspiracy. He could be brought no farther than to declare, that he revered the king's account of the transaction, but could not say that he himself was persuaded of the truth of it. The scruples or obstinacy of a single man would have been little regarded; but as the same spirit of incredulity began to spread among the people, the example of one in so high reputation for integrity and abilities, was extremely dangerous. The king was at the utmost pains to convince and to gain Bruce, but finding it impossible to remove his doubts, he deprived him of his benefice, and after repeated delays, and many attempts towards a reconciliation, banished him the kingdom\*.

The proceedings of parliament were not retarded by any scruples of this sort. The dead bodies of the two brothers were produced there, according to law; an indictment for high treason was preferred against them; witnesses were examined; and, by an unanimous sentence, their estates and honours were forfeited: the punishment due to traitors was inflicted on their dead bodies; and, as if the punishment hitherto in use did not express sufficient detestation of their crimes, the parliament enacted that the surname of Ruthven should be abolished; and in order to preserve the memory of the king's miraculous escape, and to declare the sense which the nation had of the divine goodness, to all future ages.

\* Spotsw. 461, &c. Cald. v. 389, &c.

appointed the fifth of August to be observed, annually, as a day of public thanksgiving<sup>a</sup>.

1601.] Though Gowrie's conspiracy occasioned a sudden and great alarm, it was followed by

<sup>a</sup> A few weeks after the death of the two brothers, the king published a *discourse of their vile and unnatural conspiracy against his life*. In the year 1713, George Earl of Cromartie published an "Historical account of the conspiracy by the "Earl of Gowrie and Robert Logan of Restalrig, against "king James VI." He seems not to have seen the account which the king himself had given of that matter, and borrows the whole historical part from Spotswood and other authors; but he has extracted from the public records the depositions of the witnesses produced by the king's council, in order to make good the charge against the two brothers, and Logan their associate. From these two treatises our knowledge of all the material circumstances of the conspiracy is derived. The evidence which they contain, one would expect to be authentic and decisive. An account of a fact, still recent, published by royal authority, and the original depositions of persons examined in presence of the highest court in the nation, ought to convey a degree of evidence seldom attained in historical relations, and to exclude all remaining doubt and uncertainty. But as every thing with regard to this transaction is dark and problematical, the king's account and the depositions of the witnesses not only vary, but contradict each other in so many circumstances, that much room is still left for hesitation and historical scepticism. The testimony of Henderson is the fullest and most important, but in several particulars the king's account and his are contradictory. I. According to the king's account, while Mr Ruthven was holding the dagger at his breast, "the fellow in the "study stood quaking and trembling." Disc. 17. But Henderson says that he himself wrested the dagger out of Mr Ruthven's hands. Disc. 43. Crom. 50. Henderson likewise boasted to his wife, that he had that day twice saved the king from being stabbed. Disc. 54. Crom. 53. II. The king asserts that Henderson opened the window during Mr Ruthven's absence. Disc. 23. Henderson deposes that he was only attempting to open it when Mr Ruthven returned.

no consequences of importance; and having been concerted by the two brothers, either without any associates, or with such as were unknown, the danger was over, as soon as discovered. But not

and that during the struggle between the king and him, he opened it. Dic. 63, 54. Crom. 51, 52. III. If we may believe the king the fellow in the study stood, during the struggle, behind the king's back, inactive and trembling all the time. Disc. 27. But Henderson affirms, that he snatched away the garter with which Mr Ruthven attempted to bind the king; that he pulled back Mr Ruthven's hand, while he was endeavouring to stop the king's mouth, and that he opened the window, Disc. 54 Crom. 52. IV. By the king's account, Mr Ruthven left him in the study, and went away in order to meet with his brother, and the Earl came up the stairs for the same purpose, Disc. 23. Henderson deposes, that when Mr Ruthven left the king, "he believes that he did not pass from the door." Crom. 51. It is apparent both from the situation of the house, and from other circumstances, that there could not possibly have been any interview between the brothers at this time. Disc. 23.

Henderson was twice examined, first at Falkland before the privy council in August, and next at Edinburgh, before the parliament in November. Not to mention some lesser variations between these depositions, we shall point out two which are remarkable. In his first deposition, Mr Henderson relates the most material circumstance of the whole in these words; "Mr Ruthven pulled out the deponent's dagger, and held the same to his majesty's breast, saying, *Remember you of my father's murder; you shall now die for it*: and pointing to his highness's heart, with the dagger, "the deponent threw the same out of Mr Ruthven's hands, "and swore that as God should judge his soul, that if Mr Ruthven had retained the dagger in his hand, the space a man may go six steps, he would have stricken the king to the hilts with it." Disc. 52. But at his second examination he varied from this in two material circumstances. First, the words he at that time put in Mr Ruthven's mouth while he held the dagger at the king's breast are, "*Sir, you must be my prisoner; remember on my father's death.*" Sec-

long after, a conspiracy broke out in England against Elizabeth, which, though the first danger was instantly dispelled, produced tragical effects, that rendered the close of that queen's reign dismal

condly, when he threatened him with death, it was only to deter him from making any noise, "*Held your tongue, or by Christ you shall die.*" 2. In his first deposition the words of Mr Ruthven, when he returned to the chamber where he had left the king, are, "*There is no remedy by God you must die.*" But in his second deposition, "*By God there is no remedy, and offered to bind his majesty's hands.*" Crom. 51. The material words *you must die* are omitted. The first deposition seems plainly to intimate that it was Ruthven's intention to murder the king. The second would lead us to conclude that he had no other design than to detain him as a prisoner.

There are likewise some remarkable contradictions in the testimonies of the other witnesses. 1. In the discourse published by authority, it is insinuated that the tumult of the inhabitants was raised against the king, and that it required some art to pacify them. Disc. 32. The Duke of Lennox confirms this in his deposition. Crom. 44. An act of privy council summoning the magistrates of Perth to answer for that riot is still extant. And yet Andrew Roy, one of the bailies of the town, deposes, that he himself raised the people, and that they took arms in order to assist the king. Crom. 66. 2. Henderson deposes, that he gave an evasive answer to Mr John Moncrief, who inquired where he had been that morning, because the Earl had commanded him not to let any man know that he had been at Falkland. Disc. 54. Moncrief deposes to the same purpose. Crom. 64. And yet George Hay, afterwards Lord Kinnoul, and the chancellor of Scotland, and Peter Hay, depose, that the Earl in their presence, asked Henderson, "*Whom he found with the king at Falkland?*" Crom. 70. 71. Which question seems to prove that he did not aim at keeping that journey a secret. In the Collection of Criminal Trials, published by Mr Arnot in 1783, the evidence against the two brothers has been considered with great attention. P. 20, &c.

and unhappy. As James was deeply interested in that event, it merits our particular notice.

The court of England was at this time divided between two powerful factions, which contended for the supreme direction of affairs. The leader of the one was Robert D'Evreux, Earl of Essex; Sir Robert Cecil, the son of lord treasurer Burleigh, was at the head of the other. The former was the most accomplished and the most popular of all the English nobles; brave, generous, affable; though impetuous, yet willing to listen to the counsels of those whom he loved; an avowed but not an implacable enemy; a friend no less constant than warm; incapable of disguising his own sentiments, or of misrepresenting those of others; better fitted for a camp, than for a court; of a genius that qualified him for the first place in the administration, with a spirit which scorned the second as below his merit. He was soon distinguished by the queen, who, with a profusion uncommon to her, conferred on him, even in his earliest youth, the highest honours. Nor did this diminish the esteem and affection of his countrymen; but, by a rare felicity, he was at once the favourite of his sovereign, and the darling of the people. Cecil, on the other hand, educated in a court, and trained under a father deeply skilled in all its arts, was crafty, insinuating, industrious, and though possessed of talents which fitted him for the highest offices, he did not rely upon his merit alone for attaining them, but availed himself of every advantage which his own address, or the mistakes of others, afforded him. Two *such men* were formed to be rivals and enemies.

Essex despised the arts of Cecil as low and base. To Cecil, the Earl's magnanimity appeared to be presumption and folly. All the military men, except Raleigh, favoured Essex. Most of the courtiers adhered to Cecil, whose manners more nearly resembled their own.

As Elizabeth advanced in years, the struggle between these factions became more violent. Essex, in order to strengthen himself, had early courted the friendship of the king of Scots, for whose right of succession he was a zealous advocate, and held a close correspondence both with him and with his principal ministers. Cecil, devoted to the queen alone, rose daily to new honours by the assiduity of his services, and the patience with which he expected the reward of them; while the Earl's high spirit and impetuosity sometimes exposed him to checks from a mistress, who, though partial in her affection toward him, could not easily bear contradiction, and who conferred favours often unwillingly, and always slowly. His own solicitations, however, seconded maliciously by his enemies, who wished to remove him at a distance from court, advanced him to the command of the army employed in Ireland against Tyrone, and to the office of lord lieutenant of that kingdom, with a commission almost unlimited. His success in that expedition did not equal either his own promises, or the expectations of Elizabeth. The queen, peevish from her disappointment, and exasperated against Essex by the artifices of his enemies, wrote him a harsh letter, full of accusations and reproaches. These his impatient spirit could not bear, and, in the first transports of his

resentment, he proposed to carry over a part of his army into England, and, by driving his enemies from the queen's presence, to reinstate himself in favour and in power. But upon more mature thoughts he abandoned this rash design, and, taking sail with a few officers devoted to his party, landed in England, and posted directly to court. Elizabeth received him without any symptoms of affection, or of displeasure. By proper compliances and acknowledgments, he might have regained his former ascendant over the queen. But he thought himself too deeply injured to submit to these. Elizabeth on the other hand, determined to subdue his haughty temper; and though her severity drew from him the most humble letters, she confined him to the lord keeper's house and appointed commissioners to try him, both for his conduct during his government of Ireland, and for leaving that kingdom without her permission. By their sentence he was suspended from all his offices, except that of master of the horse, and continued a prisoner during the queen's pleasure. Satisfied with having mortified his pride thus, Elizabeth did not suffer the sentence to be recorded, and soon after allowed him to retire to his house. During these transactions, which occupied several months, Essex fluctuated between the allegiance he owed to his sovereign, and the desire of revenge; and sometimes leaned to the one and sometimes to the other. In one of the intervals when the latter prevailed, he sent a messenger into Scotland, to encourage the king to assert his own right to the succession by force of arms, and to promise that, besides the assistance

of the Earl and all his friends in England, Lord Mountjoy, now lord lieutenant of Ireland, would join him with five thousand men from that kingdom. But James did not choose to hazard the losing a kingdom, of which he was just about to obtain possession, by a premature attempt to seize it. Mountjoy, too, declined the enterprise, and Essex adopted more dutiful schemes; all thoughts of ambition appearing to be totally effaced out of his mind.

This moderation, which was merely the effect of disgust and disappointment, was not of long continuance; and the queen, having not only refused to renew a lucrative grant which she had formerly bestowed, but even to admit him into her presence, that new injury drove a temper, naturally impatient, and now much fretted, to absolute despair. His friends, instead of soothing his rage, or restraining his impetuosity, added to both by their imprudent and interested zeal. After many anxious consultations, he determined to attempt to redress his wrongs by violence. But being conscious how unpopular such an enterprise would be, if it appeared to proceed from motives of private revenge alone, he endeavoured to give it the semblance of public utility, by mingling the king of Scotland's interest with his own. He wrote to James, that the faction which now predominated in the English court had resolved to support the pretensions of the Infanta of Spain to the crown; that the places of the greatest importance in the kingdom were put into the hands of his avowed enemies; and that unless he sent *ambassadors*, without delay, to insist



on the immediate declaration of his right of succession, their measures were so well concerted that all his hopes would be desperate. James, who knew how disagreeable such a proposal would be to the queen of England, was not willing rashly expose himself to her displeasure. Essex, nevertheless, blinded by resentment, and impatient for revenge, abandoned himself to these passions, and acted like a man guided by frenzy or despair. With two or three hundred followers incompletely armed, he attempted to assault a throne then established in Europe. Sallying at their head out of his own house, he called on the citizens of London, if they either valued his life, or wished to preserve the kingdom from the dominion of the Spaniards, to take arms, and to follow his standard. He advanced towards the palace with an intention to drive Cecil and his faction out of the queen's presence, and to obtain a declaration of the Scottish king's right of succession<sup>b</sup>. But, though most adored by the citizens, not a man would join him in this wild enterprise. Dispirited by their indifference, deserted by some of his own attendants, and almost surrounded by the troops, who marched against him under different leaders in the city, he retreated to his own house; and without any bold effort, suitable to his present condition, or worthy of his former reputation for courage, he surrendered to his enemies.

As soon as James heard of Essex's ill success, he appointed the Earl of Mar, and Bruce, abbot of Kinloss, to repair as his ambassadors to the court of England. The former of these was the

<sup>b</sup> Birch. Mem. ii. 477.

person by whose means Essex had carried on his correspondence with the king. He was a passionate admirer of the Earl's character, and disposed to attempt every thing that could contribute to his safety. Bruce, united in a close friendship with Mar, was ready to second him with equal zeal. Nor was the purpose of the embassy less friendly to Essex, than the choice of his ambassadors; they were commanded to solicit, in the warmest manner, for the Earl's life, and if they found that the king, by avowing his friends, could either promote their designs, or contribute to their safety, they were empowered to lay aside all disguise, and to promise that he would put himself at their head, and claim what was due to him by force of arms<sup>c</sup>. But before the ambassadors could reach London, Essex had suffered the punishment which he merited by his treason. Perhaps the fear of their interposing, in order to obtain his pardon, hastened his death, Elizabeth continued, for some time, irresolute concerning his fate, and could not bring herself to consign into the hands of the executioner, a man who had once possessed her favour so entirely, without a painful struggle between her resentment against his late misconduct, and her ancient affection towards him. The distress to which he was now reduced, tended naturally to soften the former, while it revived the latter with new tenderness; and the intercession of one faithful friend, who had interest with the queen, might perhaps have saved his life, and have procured him a remission, which, of herself, she was ashamed to

<sup>c</sup> *Johnst. 289. Birch. Mem. ii. 510.*

grant. But this generous nobleman had at that time no such friend. Elizabeth, solicited incessantly by her ministers, and offended with the haughtiness of Essex, who, as she imagined, scorned to sue for pardon, at last commanded the sentence to be put in execution. No sooner was the blow struck, than she repented of her own rashness, and bewailed his death with the deepest sorrow. James always considered him as one who had fallen a martyr to his service ; and after his accession to the English throne, restored his son to his honours, as well as all his associates in the conspiracy, and distinguished them with his favour<sup>d</sup>.

The Scottish ambassadors, finding that they had arrived too late to execute the chief business committed to their charge, not only concealed that part of their instructions with the utmost care ; but congratulated the queen, in their master's name, on her happy escape from such an audacious conspiracy. Elizabeth, though no stranger to the king's correspondence with Essex, or to that nobleman's intentions of asserting James's right to the crown, was not willing that these should be known to the people, and, for that reason, received the congratulations of the Scottish ambassadors with all possible marks of credit and good will ; and in order to sooth James, and to preserve the appearances of union between the two courts, increased the subsidy which she paid him annually. The ambassadors resided for some time in England, and were employed, with great success, in renewing and extending the intrigues, which Bruce had formerly entered

<sup>d</sup> Camd. Spotsw. 464.

with the English nobles. As Elizabeth added in years, the English turned their eyes and more towards Scotland, and were eager to meet each other in courting the favour of future monarch. Assurances of attachment, demonstrations of regard, and promises of support, offered to James from every corner of the realm. Cecil himself, perceiving what hopes he had founded on the friendship of the Scots king, and what advantages he might have derived from it, thought it prudent to stand not far at a distance from a prince who might so become his master. But being sensible at the same time how dangerous such an intercourse might prove, under a mistress naturally jealous, whose jealousy grew stronger with old age; though he entered into a correspondence with her, he carried it on with all the secrecy and discretion necessary in his situation, and peculiar to his character<sup>d</sup>. James having gained the means of opposition and influence he had hitherto dreaded, waited, in perfect security, till the event should happen, which would open his way to the throne of England<sup>e</sup>. It was with reference to this, see Append. No. LIII.

Mr Birch, in his Life of Prince Henry, p. 232. has given an account of the mysterious mode in which this correspondence was carried on, and how the letters were conveyed from London to Dublin, and from thence to Scotland. Notwithstanding the solicitude which Cecil repeatedly expressed that his letters should be destroyed as soon as they had been read, a considerable number of them have been preserved, and published by Sir David Dalrymple, in the year 1776. They were written by Lord Henry Howard, under the inspection of Cecil, in a style affectedly obscure. *The whole correspondence is more curious than instructive.*

some difficulty that he restrained within proper bounds his adherents in that kingdom, who, labouring to distinguish themselves by that officious zeal with which a prince who has a near prospect of mounting the throne is always served, urged him to allow a motion to be made in parliament for declaring his right of succession to the crown. James prudently discouraged the design; but it was with no small satisfaction that he observed the ascendant he was acquiring in court the dictates of which he had been so long obliged to obey; and which had either prescribed or thwarted every step he had taken during the whole course of his reign<sup>f</sup>.

1602.] Notwithstanding the violent struggle of the political factions which divided the court and the frequent revolutions which had happened there since the king first took the reins of government into his own hands, Scotland had enjoyed unusual tranquillity, being undisturbed by any foreign enemy, and free from any intestine commotion of long continuance. During this period, James endeavoured to civilize the Highlands and the Isles, a part of his dominions so much neglected by former monarchs, though the reformation of it was an object highly worthy their care. The long peace with England had afforded an opportunity of subduing the licentious spirit of the borderers, and of restraining their predations, often no less ruinous to their countrymen than to their enemies. The inhabitants of the low country began, gradually, to forget the use of arms, and to become attentive to the *use of peace*. But the Highlanders, retaining the

<sup>f</sup> *Spotsw.* 467. 471. *Birch. Mem.* ii. 514.

natural fierceness, averse from labour, and inured to rapine, infested their more industrious neighbours by their continual incursions. James, being solicitous not only to repress their inroads, but to render them useful subjects<sup>s</sup>, had at different times enacted many wise laws extremely conducive to these ends. All landlords, or chiefs of clans, were enjoined to permit no persons to reside in their estates who could not find sufficient surety for their good behaviour; they were required to make a list of all suspicious persons under their jurisdiction, to bind themselves to deliver them to justice, and to indemnify those who should suffer by their robberies; and, in order to ascertain the faithful performance of these articles, the chiefs themselves were obliged to give hostages to the king, or to put pledges in his hands. Three towns, which might serve as a retreat for the industrious, and a nursery for arts and commerce were appointed to be built in different parts of the Highlands; one in Cantire, another in Lochaber, and a third in the isle of Lewis; and, in order to draw inhabitants thither, all the privileges of royal boroughs were to be conferred upon them. Finding it, however, to be no easy matter to inspire the natives of those countries with the love of industry, a resolution was taken to plant among them colonies of people from the more industrious counties. The first experiment was made in the isle of Lewis; and as it was advantageously situated for the fishing trade, a source from which Scotland ought naturally to derive great wealth, the colony transported thither was *drawn out of Fife*, the inhabitants

<sup>s</sup> *Basfl. Dnr. 139.*

of which were well skilled in that branch of commerce. But before they had remained there long enough to manifest the good effects of this institution, the islanders, enraged at seeing their country occupied by those intruders, took arms, and surprising them in the night-time, murdered some of them, and compelled the rest to abandon the settlement. The king's attention being soon after turned to other objects, we hear no more of this salutary project. Though James did not pursue the design with that steady application and perseverance, without which it is impossible to change the manners of a whole people, he had the glory, however, not only of having first conceived the thought, but of having first pointed out the proper method of introducing the civil arts of life into that part of the island<sup>a</sup>.

1603.] After having long enjoyed a good state of health, the effect of a sound constitution, and the reward of uncommon regularity and temperance, Elizabeth began this winter to feel her vigour decrease, and to be sensible of the infirmities of old age. Having removed on a very stormy day from Westminster to Richmond [Jan. 31], whither she was impatient to retire, her complaints increased. She had no formed fever; her pulse was good; but she ate little, and could not sleep. Her distemper seemed to proceed from a deep melancholy, which appeared both in her countenance and behaviour. She delighted in solitude, she sat constantly in the dark; and was often drowned in tears.

No sooner was the queen's indisposition known, than persons of all ranks, and of all different

<sup>a</sup> *Parl.* 1587. 1594. 1597. *Spotsw.* 468.

sects and parties, redoubled their applications to the king of Scots, and vied with each other in professions of attachment to his person, and in promises of submission to his government. Even some of Elizabeth's own servants, weary of the length of her reign, fond of novelty, impatient to get rid of the burthen of gratitude for past benefits, and expecting to share in the liberality of a new prince, began to desert her: and crowds of people hurried towards Scotland, eager to pre-occupy the favour of the successor, or afraid of being too late in paying homage to him.

Meanwhile, the queen's disease increased, and her melancholy appeared to be settled and incurable. Various conjectures were formed concerning the causes of a disorder, from which she seemed to be exempted by the natural cheerfulness of her temper. Some imputed it to her being forced, contrary to her inclination, to pardon the Earl of Tyrone, whose rebellion had for many years created her much trouble. Others imagined that it arose from observing the ingratitude of her courtiers, and the levity of her people, who beheld her health declining with most indecent indifference, and looked forward to the accession of the Scottish king, with an impatience which they could not conceal. The most common opinion, at that time, and perhaps the most probable, was, that it flowed from grief for the Earl of Essex. She retained an extraordinary regard for the memory of that unfortunate nobleman; and though she often complained of his obstinacy, seldom mentioned his name without tears<sup>i</sup>. An *accident* happened soon after her

<sup>i</sup> *Birch. Mein. ii. 505.*



retiring to Richmond, which revived her affection with new tenderness, and embittered her sorrow. The Countess of Nottingham, being on her death-bed, desired to see the queen, in order to request something to her, without discovering which she could not die in peace. When the queen came into her chamber, she told her, that while Earl Scroop lay under sentence of death, he was desirous of imploring pardon in the manner which the queen herself had prescribed, by returning a ring, which during the height of his favour she had given him with a promise that if, in any future distress he sent that back to her as a token, it should entitle him to her protection; that Lady Scroop was the person he intended to employ in order to procure it; that by a mistake, it was put into her hands instead of Lady Scroop's; and that she had communicated the matter to her husband, one of Essex's most implacable enemies, he had forbidden her either to carry the ring to the queen, or to return it to the Earl. The Countess having disclosed her secret, begged the queen's forgiveness: but Elizabeth, who now saw both the malice of the Earl's enemies, and how unjust she had suspected him of inflexible obstinacy replied, "God may forgive you, but I never can," and left the room in great emotion<sup>k</sup>. From

<sup>k</sup> This anecdote concerning Elizabeth was first published by Osborne, *Mem. of Eliz.* p. 23. ; is confirmed by the testimony of de Maurier, *Mem.* 260, and by the tradition of Lady Elizabeth Spelman, published by Dr I. Negoc. 106. Camden mentions the queen's grief for Earl Scroop's death as one of the causes of her melancholy. The original papers remain, which prove that this was commonly believed at the time. Birch. *Mem.* ii. 506. Essex,

iment, her spirits sunk entirely; she could scarce take food; she refused all the medicines prescribed by her physicians; declaring that she wished to die, and would live no longer. No intreaty could prevail on her to go to bed; she sat on cushions, during ten days and nights, pensive and silent, holding her finger almost continually in her mouth, with her eyes open, and fixed on the ground. The only thing to which she seemed to give any attention, was the acts of devotion performed in her apartment by the archbishop of Canterbury; and in these she joined with great appearance of fervour. Wasted, at last, as well by anguish of mind, as by long abstinence, she expired without a struggle, on Thursday the twenty-fourth day of March, in the seventieth year of her age, and in the forty-fifth of her reign<sup>1</sup>.

Foreigners often accuse the English of indifference and disrespect towards their princes, but without reason; no people are more grateful than we have been beheaded two years before her death, and there seems to have been no other reason, but that which we have assigned, why her sorrows should revive with so much violence at so great a distance of time. As the death of the Countess of Nottingham happened about a fortnight before the queen's death, the coincidence of these events, together with the other evidence mentioned, adds so much probability to the story related by Osborne, as will entitle it a place in history. The only objection to the account we have given of Elizabeth's attachment to Essex, arises from her great age. At the age of 68, the amorous passions are commonly abundantly cool, and the violence of all the passions, except one, is much abated. But the force of this objection is entirely removed by an author who has illustrated many passages in the English History, and adorned more than a catalogue of Royal and Noble Authors, Article Essex.

<sup>1</sup> Camd. Birch. Mem. ii. 506. Birch. Negoc. 206. type, iv. 373.

ful than they to those monarchs who merited gratitude. The names of Edward II and Henry V. are mentioned by the English with the same warmth as they were by those who shared in the blessings and splendour of their reigns. The memory of Elizabeth is still fresh in England. The historians of that kingdom have praised her for her love of her people ; her sagacity in discerning their true interest ; her steadiness in pursuing it ; her wisdom in the choice of her ministers ; the glory she acquired by the tranquillity she secured to her subject ; the increase of fame, of riches, and of commerce which were the fruits of all these ; justly placing her among the most illustrious princes. They have also pointed out the defects in her character, they observed that some of a kind pernicious to her people. Her excessive frugality was not accompanied with a love of hoarding ; and though it prevented great undertakings, and rendered the success of others incomplete, it introduced economy in her administration, and exempted the nation from many burdens which a monarch more generous or more enterprising must have imposed. Her slowness in rewarding her servants sometimes discouraged useful merit ; but it prevented the undeserving from acquiring power and wealth which they had no title. Her extreme jealousy of those princes who pretended to dispute the right to the crown, led her to take such precautions, as tended no less to the public safety than to her own ; and to court the affections of her people, as the firmest support of her throne. Such is the picture which the English draw of this great queen.

Whoever undertakes to write the history of Scotland, finds himself obliged frequently to view her in a very different, and in a less amiable light. Her authority in that kingdom, during the greater part of her reign, was little inferior to that which she possessed in her own. But this authority, acquired at first by a service of great importance to the nation, she exercised in a manner extremely pernicious to its happiness. By her industry in fomenting the rage of the two contending factions; by supplying the one with partial aid; by feeding the other with false hopes; by balancing their power so artfully, that each of them was able to distress, and neither of them to subdue the other; she rendered Scotland long the seat of discord, confusion, and bloodshed; and her craft and intrigues, effecting what the valour of her ancestors could not accomplish, reduced that kingdom to a state of dependance on England. The maxims of policy, often little consonant to those of morality, may, perhaps, justify this conduct. But no apology can be offered for her behaviour to queen Mary; a scene of dissimulation without necessity; and of severity beyond example. In almost all her other actions, Elizabeth is the object of our highest admiration; in this we must allow that she not only laid aside the magnanimity which became a queen, but the feelings natural to a woman.

Though Elizabeth would never permit the question concerning the right of succession to the crown to be determined in parliament; nor declare her own sentiments concerning a point which she wished to remain an impenetrable mystery;

she had, however, formed no design of excluding the Scottish king from an inheritance to which his title was undoubted. A short time before her death, she broke the silence which she had so long preserved on that subject, and told Cecil and the lord admiral, "That her throne was the inheritance of kings; that she would have no mean person to ascend it, and that her cousin the king of France should be her successor." This she confirmed on her death bed. As soon as she breathed her last, the lords of the privy council proclaimed James VI. king of England. All the intrigues carried on by foreigners in favour of the Infanta, all the combinations within the kingdom to support the claims of Lady Arubella and the Earl of Hartford disappeared in a moment; the nobles and peers, forgetting their ancient hostilities with Scotland and their aversion for the dominion of strangers, testified their satisfaction with louder acclamations than were usual at the accession of their native princes. Amidst this tumult of joy, a motion made by a few patriots, who proposed to press some conditions to the successor, and to exact from him the redress of some grievances, by which they called him to the throne, was scarcely heard of, and Cecil, by stifling it, added to his stock of merit with his new master. Sir Charles Percy, brother of the Earl of Northumberland, and Thomas Somerset, the Earl of Worcester's son, were dispatched to Scotland, with a letter to the king, signed by all the peers and privy counsellors in London; informing him of the queen's death, of his accession to the throne, of their care to recognize his title, and of the universal appli-

which the public proclamation of it had been  
ed. They made the utmost haste to deliv-  
er a welcome message; but were prevented  
by the zeal of Sir Robert Carey, Lord Hunston's  
youngest son, who, setting out a few hours after  
Elizabeth's death, arrived at Edinburgh on Satur-  
day night, just as the king had gone to bed. He  
was immediately admitted into the royal apart-  
ment, and kneeling by the king's bed, acquainted  
him with the death of Elizabeth, saluted him King  
of England, Scotland, France, and Ireland; and  
in token of the truth of the intelligence which  
that night presented him a ring, which his sister  
Scroop had taken from the queen's finger  
at her death. James heard him with a decent  
reserve. But as Carey was only a private  
gentleman, the information which he brought was  
made public, and the king kept his apartment  
on the arrival of Percy and Somerset. Then his  
names were solemnly proclaimed; and his own  
words expressed no less joy, than the English,  
in the increase of his dignity. As his presence  
was absolutely necessary in England, where the  
people were extremely impatient to see their new  
king, he prepared to set out for that kingdom  
without delay. He appointed his queen to fol-  
low him within a few weeks. He committed the  
government of Scotland to his privy council. He  
entrusted the care of his children to different nobles.  
On the Sunday before his departure,  
he repaired to the church of St Giles, and after  
preaching a sermon, in which the preacher display-  
ed the greatness of the divine goodness in raising  
him to the throne of such a powerful kingdom.

without opposition or bloodshed, and exhorted him to express his gratitude, by promoting, to the utmost, the happiness and prosperity of his subjects; the king rose up, and addressing himself to the people, made many professions of unalterable affection towards them; promised to visit Scotland frequently; assured them that his Scottish subjects, notwithstanding his absence, should feel that he was their native prince, no less than when he resided among them; and taught still trust that his ears should be always open to their petitions, which he would answer with the clemency and love of a parent. His words were often interrupted by the tears of the whole audience; who, though they exulted at the king's prosperity, were melted into sorrow by these tender declarations.

On the fifth of April he began his journey, with a splendid, but not a numerous train; and next day he entered Berwick. Wherever he came, immense multitudes were assembled to welcome him; and the principal persons in the different counties through which he passed, displayed all their wealth and magnificence in entertainments prepared for him at their houses. Elizabeth had reigned so long in England, that most of her subjects remembered no other court but hers, and their notions of the manners and decencies suitable to a prince were formed upon what they had observed there. It was natural to apply this standard to the behaviour and actions of their new monarch, and to compare him, at first sight, with the queen, on whose throne he was to sit.

placed. James, whose manners were extremely different from hers, suffered by the comparison. He had not that flowing affability, by which Elizabeth captivated the hearts of her people; and, though easy among a few whom he loved, his indolence could not bear the fatigue of rendering himself agreeable to a mixed multitude. He was no less a stranger to that dignity with which Elizabeth tempered her familiarity. And, instead of that well-judged frugality with which she conferred titles of honour, he bestowed them with an undistinguishing profusion, that rendered them no longer marks of distinction, or rewards of merit. But these were the reflections of the few alone; the multitude continued their acclamations; and, amidst these, James entered London on the 7th of May, and took peaceable possession of the throne of England.

Thus were united two kingdoms, divided from the earliest accounts of time, but destined, by their situation, to form one great monarchy. By this junction of its whole native force, Great Britain hath risen to an eminence and authority in Europe, which England and Scotland, while separate, could never have attained.

The Scots had so long considered their monarchs as next heirs to the English throne, that they had full leisure to reflect on all the consequences of their being advanced to that dignity. But, dazzled with the glory of giving a sovereign to their powerful enemy, relying on the partiality of their native prince, and in full expectation of sharing liberally in the wealth and honours which he would now be able to bestow, they attended



little to the most obvious consequences of great event, and rejoiced at his accession to throne of England, as if it had been no less official to the kingdom, than honourable to the king. They soon had reason, however, to adopt different sentiments; and from that period we date a total alteration in the political condition of Scotland.

The feudal aristocracy, which had been overthrown in most nations of Europe by the efforts of their princes, or had been undermined by the progress of commerce, still subsisted with full vigour in Scotland. Many causes had contributed generally to augment the power of the Scottish nobles, and even the reformation, which, in every country where it prevailed, added to the authority of the monarch, had increased their wealth and influence. A king possessed of a small revenue, with a prerogative extremely limited, and unsupported by a standing army, could not exercise much authority over such potent subjects. He was obliged to govern by expedients; and his laws derived their force not from his power to execute them, but from the voluntary submission of the nobles. But though this produced a weakness of government extremely feeble and irregular; though Scotland, under the name, and all the outward ensigns of a monarchy, was in reality subject to an aristocracy, the people were nevertheless together unhappy; and even in this wild form of a constitution, there were principles which were not checked and overawed by the nobles, but which bore upon no act of arbitrary power. The nobles were jealous of the king, whose claims and prete-

were many, though his power was small, were afraid of irritating their dependents by unreasonable exactions, and tempered the rigour of aristocratical tyranny, with a mildness and equality to which it is naturally a stranger. As long as the military genius of the feudal government remained in vigour, the vassals both of the crown and of the barons were generally not only free from oppression, but were courted by their superiors, whose power and importance were founded on their attachment and love.

But by his accession to the throne of England, James acquired such an immense accession of wealth, of power, and of splendour, that the nobles astonished and intimidated, thought it vain to struggle for privileges which they were now unable to defend. Nor was it from fear alone that they submitted to the yoke; James, partial to his countrymen, and willing that they should partake in his good fortune, loaded them with riches and honours; and the hope of his favour concurred with the dread of his power, in taming their fierce and independent spirits. The will of the prince became the supreme law in Scotland; and the nobles strove with emulation, who should most implicitly obey commands which they had formerly been accustomed to contemn. Satisfied with having subjected the nobles to the crown, the king left them in full possession of their ancient jurisdiction over their own vassals. The extensive rights vested in a feudal chief became in their hands dreadful instruments of oppression, and the military ideas, on which these rights were founded, being gradually lost or disregarded, nothing

remained to correct or to mitigate the rigour with which they were exercised. The nobles, exhausting their fortunes by the expence of frequent attendance upon the English court, and by attempts to imitate the manners and luxury of their more wealthy neighbours, multiplied exactions upon the people, who durst hardly utter complaints which they knew would never reach the ear of their sovereign, nor move him to grant them any redress. From the union of the crowns to the revolution in 1688, Scotland was placed in a political situation, of all others the most singular and the most unhappy; subjected at once to the absolute will of a monarch, and to the oppressive jurisdiction of an aristocracy, it suffered all the miseries peculiar to both these forms of government. Its kings were despotic; its nobles were slaves and tyrants; and the people groaned under the rigorous domination of both.

During this period, the nobles, it is true, made one effort to shake off the yoke, and to regain their ancient independency. After the death of James, the Scottish nation was no longer viewed by our monarchs with any partial affection. Charles I. educated among the English, discovered no peculiar attachment to the kingdom of which he was a native. The nobles, perceiving the sceptre to be now in hands less friendly, and swayed by a prince with whom they had little connexion, and over whose councils they had little influence, no longer submitted with the same implicit obedience. Provoked by some encroachments of the king on their order, and apprehensive *of others*, the remains of their ancient spirit began

of which there had formerly been no  
Charles brought against them the for-  
agland, and notwithstanding their own  
and the zeal of the people, the nobles  
were sunk in the struggle. But the disaf-  
which was growing among his English  
prevented the king from acting with vi-  
civil war broke out in both kingdoms ;  
many battles and revolutions, which are  
on, the Scottish nobles, who first began  
were involved in the same ruin with the  
At the restoration, Charles II. regained  
ssion of the royal prerogative in Scot-  
d the nobles, whose estates were wasted  
pirit broken, by the calamities to which  
been exposed, were less able and less  
an ever to resist the power of the crown.  
his reign, and that of James VII. the  
of the monarch were received in Scot-



The revolution introduced other maxims in the government of Scotland. To increase the authority of the prince, or to secure the privileges the nobles, had hitherto been almost the sole object of our laws. The rights of the people we hardly ever mentioned, were disregarded, or unknown. Attention began henceforward, to be paid to the welfare of the people. By the *claim of right* their liberties were secured; and the number their representatives being increased, they gradually acquired new weight and consideration in parliament. As they came to enjoy more security and greater power, their minds began to open and to form more extensive plans of commerce of industry, and of police. But the aristocratical spirit which still predominated, together with many other accidents, retarded the improvement and happiness of the nation.

Another great event completed what the revolution had begun. The political power of the nobles, already broken by the union of the two crowns, was almost annihilated by the union of the two kingdoms. Instead of making a part, as formerly, of the supreme assembly of the nation, instead of bearing the most considerable sway then the peers of Scotland are admitted into the British parliament by their representatives only, and form but an inconsiderable part of one of those bodies in which the legislative authority is vested. They themselves are excluded absolutely from the house of commons, and even their eldest sons are not permitted to represent their countrymen in that august assembly. Nor have their feudal privileges remained to compensate for this ex-

their political authority. As commerce in its progress, and government attained to perfection, these were insensibly circumscribed, and at last, by laws no less salutary to the people than fatal to the nobles, they have been totally abolished. As the nobles, deprived of power, the people acquired liberties exempted from burdens to which they were formerly subject, screened from oppression, they had been long exposed, and adopted a constitution whose genius and laws were more liberal than their own: they have extended commerce, refined their manners, made improvements in the elegancies of life, and cultivated arts and sciences.

A review of the political state of Scotland, the events and their causes have been mentioned rather than developed, enables us to point out the various causes, from each of which we may date an alteration in one or other of the three members of which the supreme legislature in our constitution is composed. The accession to the throne of England, the death of Scotland, once the most limited, became the most absolute princes in Europe, created a despotic authority, which their subjects were unable to controul, or their nobles to resist. At the *Union* of the two kingdoms, the aristocracy, which had subsisted so long, and with power so exorbitant, was dissolved, and the Scottish nobles having surmounted their rights and pre-eminences peculiar to them, reduced themselves to a condition no longer the terror and envy of other

subjects. *Since the union*, the commons, anciently neglected by their kings, and seldom courted by the nobles, have emerged into dignity; and being admitted to a participation of all the privileges which the English had purchased at the expence of so much blood, must now be deemed a body not less considerable in the one kingdom than they have long been in the other.

The church felt the effects of the absolute power which the king acquired by his accession and its revolutions, too, are worthy of notice. James, during the latter years of his administration in Scotland, had revived the name and office of bishops. But they possessed no ecclesiastical jurisdiction or pre-eminence; their revenues were inconsiderable, and they were scarcely distinguished by any thing but by their seat in parliament, and by being the object of the clergy's jealousy, and the people's hatred. The king, delighted with the splendour and authority which the English bishops enjoyed, and eager to effect an union in the ecclesiastical policy, which he had in vain attempted in the civil government of the two kingdoms, resolved to bring both churches to an exact conformity with each other. Three Scotsmen were consecrated bishops at London. From them, their brethren were commanded to receive orders. Ceremonies unknown in Scotland were imposed; and though the clergy, less obsequious than the nobles, boldly opposed these innovations, James, long practised and well skilled in the arts of managing them, obtained at length their compliance. But *Charles I.* a superstitious prince, unacquainted

ge their own wishes, the episcopal church  
turned, and the presbyterian government  
discipline were re-established with new vi-  
Fogether with monarchy, episcopacy was  
in Scotland. A form of government  
s to the people required force to uphold  
though not only the whole rigour of  
y, but all the barbarity of persecution,  
mployed in its support, the aversion of the  
was insurmountable, and it subsisted with  
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ple were thought worthy the attention of  
lature, the presbyterian government was  
ablished, and, being ratified by the union,  
aintained in the kingdom.  
id the influence of the accession extend  
ivil and ecclesiastical constitutions alone;  
us of the nation, its taste and spirit, things  
are still more delicate, were sensibly af-  
y that event. When learning revived in





not owe its rise to any original effort of the human mind, but was excited chiefly by admiration of the ancients, which began then to be studied with attention in every part of Europe, their compositions were deemed not only the standards of taste and of sentiment, but of style; and even the languages in which they wrote were thought to be peculiar, and almost consecrated to learning and the muses. Not only the manner of the ancients was imitated, but their language was adopted; and, extravagant as the attempt may appear to write in a dead tongue, in which men were not accustomed to think, and which they could not speak, or even pronounce, the success of it was astonishing. As they formed their style upon the purest models; as they were uninfected with those barbarisms, which the inaccuracy of familiar conversation, the affectation of courts, intercourse with strangers, and a thousand other causes, introduce into living languages; many moderns have attained to a degree of elegance in their Latin compositions, which the Romans themselves scarce possessed beyond the limits of the Augustan age. While this was almost the only species of composition, and all authors, by using one common language, could be brought to a nearer comparison, the Scottish writers were not inferior to those of any other nation. The happy genius of Buchanan, equally formed to excel in prose and in verse, more various, more original, and more elegant, than that of almost any other modern who writes in Latin, reflects, with regard to this particular, the greatest lustre on his country.

*But the labour attending the study of a dead*

language was ~~in~~ ~~the~~ ~~same~~ ; the unequal return for their industry which authors met with, who could be read and admired only within the narrow circle of the learned, was mortifying ; and men, instead of wasting half their lives in learning the language of the Romans, began to refine and to polish their own. The modern tongues were found to be susceptible of beauties and graces, which if not equal to those of the ancient ones, were at least more attainable. The Italians having first set the example, Latin was no longer used in works of taste, it was confined to books of science ; and the politer nations have banished it even from those. The Scots, we may presume, would have had no cause to regret this change in the public taste, and would still have been able to maintain some equality with other nations, in their pursuit of literary honour. The English and Scottish languages, derived from the same sources, were, at the end of the sixteenth century, in a state nearly similar, differing from one another somewhat in orthography, though not only the words, but the idioms, were much the same. The letters of several Scottish statesmen of that age are not inferior in elegance, or in purity, to those of the English ministers with whom they corresponded. James himself was master of a style far from contemptible ; and by his example and encouragement, the Scottish language might have kept pace with the English in refinement. Scotland might have had a series of authors in its own, as well as in the Latin language, to boast of ; and the improvements in taste, in the arts, and in the sciences, which spread over the other

polished nations of Europe, would not have been unknown there.

But, at the very time when other nations were beginning to drop the use of Latin in works of taste, and to make trial of the strength and compass of their own languages, Scotland ceased to be a kingdom. The transports of joy, which the accession at first occasioned, were soon over; and the Scots, being at once deprived of all the objects that refine or animate a people; of the presence of their prince, of the concourse of nobles, of the splendour and elegance of a court, a universal defection of spirit seems to have seized the nation. The court being withdrawn, no domestic standard of propriety and correctness of speech remained; the few compositions that Scotland produced were tried by the English standard, and every word or phrase that varied in the least from that, was condemned as barbarous. Whereas, if the two nations had continued distinct, each might have retained idioms and forms of speech peculiar to itself; and these, rendered fashionable by the example of a court, and supported by the authority of writers of reputation might have been viewed in the same light with the varieties occasioned by the different dialects in the Greek tongue; they even might have been considered as beauties; and, in many cases, might have been used promiscuously by the authors of both nations. But, by the accession, the English naturally became the sole judges and lawgivers in language, and rejected as solecisms every form of speech to which their ear was not accustomed. Nor did the Scots, while the inter-

course between the two nations was inconsiderable<sup>a</sup>, and ancient prejudices were still so violent as to prevent imitation, ~~perhaps~~ the means of refining their own tongue according to the purity of the English standard. On the contrary, new corruptions flowed into it from every different source. The clergy of Scotland, in that age, were more eminent for piety than for learning; and though there did not arise many authors among them, yet being in possession of the privilege of discoursing publicly to the people, and their sermons being too long and perhaps too frequent, such hasty productions could not be elegant, and many slovenly and incorrect modes of expression may be traced back to that original. The pleadings of lawyers were equally loose and inaccurate, and that profession having furnished more authors, and the matters of which they treat mingling daily in common discourse and business, many of those vicious forms of speech, which are denominated

<sup>a</sup> A remarkable proof of the little intercourse between the English and Scots before the union of the crowns, is to be found in two curious papers, one published by Haynes, the other by Strype. In the year 1567, Elizabeth commanded the bishop of London to take a survey of all the strangers within the cities of London and Westminster. By this report, which is very minute, it appears that the whole number of Scots at that time was 58. Haynes, 455. A survey of the same kind was made by Sir Thomas Row, lord mayor, A.D. 1568. The number of Scots had then increased to 68. Strype, iv. Supplement, No. 1. On the accession of James, a considerable number of Scots, especially of the higher rank, resorted to England; but it was not till the union that the intercourse between the two kingdoms became great.

*Scotticisms*, have been introduced by them into the language. Nor did either the language or public taste receive any improvement in parliament, where a more liberal and more correct eloquence might have been expected. All business was transacted there by the lords of articles, and they were so servilely devoted to the court, that few debates arose, and, prior to the revolution none were conducted with the spirit and vigour natural to a popular assembly.

Thus during the whole seventeenth century the English were gradually refining their language and their taste; in Scotland the former was much debased, and the latter almost entirely lost. At the beginning of that period, both nations were emerging out of barbarity; but the distance between them, which was then inconsiderable, became, before the end of it, immense. Even after science had once dawned upon them, the Scots seemed to be sinking back into ignorance and obscurity; and active and intelligent as they naturally are, they continued, while other nations were eager in the pursuit of fame and knowledge in a state of languor. This, however, must be imputed to the unhappiness of their political situation, not to any defect of genius; for no sooner was the one removed in any degree, than the other began to display itself. The act abolishing the power of the lords of articles, and other salutary laws passed at the revolution, having introduced freedom of debate into the Scottish parliament, eloquence, with all the arts that accompany or perfect it, became immediate objects of attention and the example of Fletcher of Salton alone i

sufficient to shew that the Scots were still capable of generous sentiments, and notwithstanding some peculiar idioms, were able to express themselves with energy, and with elegance.

At length the union having incorporated the two nations, and rendered them one people, the distinctions which had subsisted for many ages gradually wear away; peculiarities disappear; the same manners prevail in both parts of the island; the same authors are read and admired; the same entertainments are frequented by the elegant and polite; and the same standard of taste, and of purity in language, is established. The Scots, after being placed, during a whole century, in a situation no less fatal to the liberty than to the taste and genius of the nation, were at once put in possession of privileges more valuable than those which their ancestors had formerly enjoyed; and every obstruction that had retarded their pursuit, or prevented their acquisition of literary fame, was totally removed.



# **CRITICAL DISSERTATION,**

## **CONCERNING THE MURDER OF KING HENRY,**

### **AND THE GENUINENESS OF THE QUEEN'S LETTERS TO BOTHWELL..**

~~OF THE MURDER OF KING HENRY~~

It is not my intention to engage in all the controversies to which the murder of king Henry, or the letters from Queen Mary to Bothwell, have given rise; far less to appear as an adversary to any particular author, who hath treated of them. To repeat, and to expose all the ill-founded assertions with regard to these points, which have flowed from inattention, from prejudice, from partiality, from malevolence, and from dishonesty, would be no less irksome to myself, than unacceptable to most of my readers. All I propose, is to assist others in forming some judgment concerning the facts in dispute, by stating the proofs produced on each side, with as much brevity as the case will admit, and with the same attention and impartiality which I have endeavoured to exercise in examining other controverted points in the Scottish history. In order to account for the king's murder, different systems have been formed. The first supposes Bothwell to have contrived and executed this crime. The other imputes it to the Duke of Murray, Morton, and their party.



The decision of many controverted facts in history, is a matter rather of curiosity than of use. They stand detached; and whatever we determine with regard to them, the fabric of the story remains untouched. But the fact under dispute at this place is a fundamental and essential one, and according to the opinion which an historian adopts with regard to it, he must vary and dispose of the whole of his subsequent narration. An historic system may be tried in two different ways, whether it be consistent with probability, and whether it be supported by proper evidence.

Those who charge the king's murder upon Bothwell, argue in the following manner; and though their reasonings have been mentioned already in different parts of the narrative, it is necessary to repeat them here. Mary's love for Darnley, say they, was a sudden and youthful passion. The beauty of his person, set off by several external frivolous accomplishments, was his charm, and gained her affections. His capricious temper soon raised in the queen a disgust, which broke out on different occasions. His engagement in the conspiracy against Rizio, converted that disgust into an antipathy, which she was at pains to conceal. This breach was, perhaps, of its own nature, irreparable; the king certainly wanted that art and condescension which alone could have repaired it. It widened every day, and a deep and settled hatred effaced all remains of affection. Bothwell observed this, and was prompted by ambition, and perhaps by love, to found upon it a scheme, which proved fatal both to the queen and to himself. He had serv

Mary at different times with fidelity and success. He insinuated himself into her favour, by address and by flattery. By degrees he gained her heart. In order to gratify his love, or at least his ambition, it was necessary to get rid of the king. Mary had rejected the proposal which, it is said, had been made to her for obtaining a divorce. The king was equally hated by the partisans of the house of Hamilton, a considerable party in the kingdom; by Murray, one of the most powerful and popular persons in his country; by Morton and his associates, whom he had deceived, and whom Bothwell had bound to his interest by a recent favour. Among the people Darnly was fallen under extreme contempt. Bothwell might expect, for all these reasons, that the murder of the king would pass without any inquiry, and might trust to Mary's love, and to his own address and good fortune for the accomplishment of the rest of his wishes. What Bothwell expected really came to pass. Mary, if not privy herself to the design, connived at an action which rid her of a man whom she had such good reason to detest. A few months after the murder of her husband, she married the person who was both suspected and accused of having perpetrated that odious crime.

Those who charge the guilt upon Murray and his party reason in this manner: Murray, they say, was a man of boundless ambition. Notwithstanding the illegitimacy of his birth, he had early formed a design of usurping the crown. On the queen's return into Scotland, he insinuated himself into her favour, and engrossed the whole power into his own hands. He set him-

self against every proposal of marriage which was made to her, lest his own chance of success to the crown should be destroyed. He was hated by him. In revenge on him, he entered into a friendship with Bothwell his ancient and enemy. He encouraged him to assassinate Henry, by giving him hopes of marrying the queen. All this was done with a design to impute upon the queen herself the imputation of being accessary to the murder, and, under that pretence, to destroy Bothwell, to depose and imprison her, and to seize the sceptre which he had wrested out of her hands.

The former of these systems has an air of probability, is consistent with itself, and supports its appearances. In the latter, some assertions are false, some links are wanting in the chain, effects appear, of which no sufficient cause is produced. Murray, on the queen's return to Scotland, served her with great fidelity, his prudent administration rendered her popular, and so powerful, as enabled her to ease to quash a formidable insurrection raised by the party of which he was the leader in the year 1565. What motive could induce him to murder a prince without capacity, without followers, without influence over the whom the queen, by her neglect, had reduced to the lowest state of contempt, and who, after a long disgrace, had regained (according to the most favourable supposition) the precarious possession of her favour only a few days before his death? It is difficult to conceive what I

had to fear from the king's life. It is still a more difficult matter to guess what he could gain by his death. If we suppose that the queen had no previous attachment to Bothwell, nothing can appear more chimerical than a scheme to persuade her to marry a man whose wife was still alive, and who was not only suspected, but accused, of murdering her former husband. But that such a scheme should really succeed is still more extraordinary.—If Murray had instigated Bothwell to commit the crime, or had himself been accessory to the commission of it, what hopes were there that Bothwell would silently bear from a fellow-criminal all the prosecutions which he suffered, without ever retorting upon him the accusation, or revealing the whole scene of iniquity? An ancient and deadly feud had subsisted between Murray and Bothwell; the queen with difficulty had brought them to some terms of agreement. But is it probable that Murray would choose an enemy, to whom he had been so lately reconciled, for his confidant in the commission of such an atrocious crime? Or, on the other hand, would it ever enter into the imagination of a wise man, first to raise his rival to supreme power, in hopes that afterwards he might render him odious, by accusing him of crimes which he had not committed, and, in consequence of this unjust charge, should be enabled to deprive him of that power? The most adventurous politician never hazarded such a dangerous experiment. The most credulous never trusted such an uncertain chance.

How strong soever these general reasonings appear to be, it is not upon them alone that

we must decide, but according to the particular evidence that is produced. This we now proceed to examine.

That Bothwell was guilty of the king's murder appears, 1. From the concurring testimony of all the contemporary historians. 2. From the confession of those persons who suffered for assisting at the commission of the crime, and who entered into a minute detail of all its circumstances. Anders. ii. 165. 3. From the acknowledgments of Mary's own commissioners, who allow Bothwell to have been one of those who were guilty of this crime. Good. ii. 213. 4. From the express testimony of Lesly, bishop of Ross, to the same effect with the former. Def. of Q. Mary' Hon. And. i. 76. Id. iii. p. 31. 5. Morton, at his death, declared that Bothwell had solicited him, at different times, to concur in the conspiracy formed against the life of the king; and that he was informed by Archibald Douglas, one of the conspirators, that Bothwell was present at the murder. Crawford. Mem. App. 4. The letter from Douglas to the queen, which I have published in the Appendix, No. XLVII. confirms Morton's testimony. 6. Lord Herries promises in his own name, and in the name of the noble who adhered to the queen, that they would concur in punishing Bothwell as the murderer of the king. Append. No. XXIV.

The most direct charge ever brought against Murray is in these words of bishop Lesly: "I "it unknown," addressing himself to the Earl of Murray, "what the Lord Herries said to you "face openly, even at your own table, a few

days after the murder was committed? Did he not charge you with the foreknowledge of the same murder? Did he not, *nulla circutione usus*, flatly and plainly burden you, that riding in Fife, and coming with one of your most assured and trusty servants the same day whereon you departed from Edinburgh, said to him among other talk, This night ere morning Lord Darnly shall lose his life?" Defence of Queen Mary, Anders ii. 75. But the assertion of a man heated with faction as Lesly, unless it were supported by proper evidence, is of little weight, the servant to whom Murray is said to have spoken these words, is not named; nor the manner in which this secret conversation was brought light mentioned. Lord Herries was one of the most zealous advocates for Mary, and it is remarkable that, in all his negotiation at the court of England, he never once repeated this accusation of Murray. In answering the challenge given him Lord Lindsay, Herries had a fair opportunity mentioning Murray's knowledge of the murder; though he openly accuses of that crime some those who adhered to Murray, he industriously avoids any insinuation against Murray himself. With Pref. xii. Mary herself, in conversation with Francis Knolles, accused Morton and Maitland of being privy to the murder, but does not mention Murray. And. iv. 55. When the bishop Ross and Lord Herries appeared before the English council, January 11, 1569, they declared themselves ready, in obedience to the queen's command, to accuse Murray and his associates of being accessory to the murder, but "they being

“also required, whether they, or any of the  
 “of themselves, would accuse the said  
 “special, or any of his adherents; or th  
 “them guilty thereof;” they answered, ‘  
 “they took God to witness that none of  
 “did ever know any thing of the conspir  
 “that murder, or were in council and forel  
 “ledge thereof; neither who were devisor  
 “ventors, and executors of the same, till  
 “publicly discovered long thereafter by so  
 “the assassins, who suffered death on the  
 “court.” Good. ii. 308. These words  
 taken out of a register kept by Ross and H  
 themselves, and seem to be a direct confu  
 of the bishop’s assertion.

The Earls of Huntly and Argyll, in their  
*testation touching the Murder of the King of*  
 after mentioning the conference at Craig  
 concerning a divorce, add, “So after thes  
 “mises, the murder of the king followin  
 “judge in our consciences, and hold for c  
 “and truth, that the Earl of Murray and  
 “tary Lethington were authors, inventors,  
 “sellors, and causers of the same murder, in  
 “manner, or by whatsoever persons the sam  
 “executed.” And. iv. 188. But, I. This  
 thing more than the private opinion or pe  
 affirmation of these two noblemen. 2. Th  
 elusion which they make has no connection  
 the premises on which they found it. Be  
 Murray proposed to obtain for the queen  
 vorce from her husband with her own cons  
 does not follow that therefore he committ  
*murder* without her knowledge. 3. Hunt

Argyll were at that time the leaders of that party opposite to Murray, and animated with all the rage of faction. 4. Both of them were Murray's personal enemies. Huntly, on account of the treatment which his family and clan had received from that nobleman. Argyll was desirous of being divorced from his wife, with whom he lived on no good terms, Knox, 328. and by whom he had no children. Crawford Peer. 19. She was Murray's sister, and by his interest Argyll's design was obstructed. Keith, 551. These circumstances would go far towards invalidating a positive testimony; they more than counterbalance an indeterminate suspicion. 5. It is altogether uncertain whether Huntly and Argyll ever subscribed this protestation. A copy of such a protestation as the queen thought would be of advantage to her cause, was transmitted to them by her. Anders. iv. b. ii. 186. The protestation itself, published by Anderson, is taken from an unsubscribed copy with blanks for the date and place of subscribing. On the back of this copy, there is pasted, indeed, a paper, which Cecil has marked "Answer of the Earl of Murray to a writing of the Earls of Huntly and Argyll." And. 194, 195. But it can hardly be deemed a reply to the above-mentioned protestation. Murray's answer bears date at London, January 19, 1568. The queen's letter, in which she inclosed the copy of the protestation, bears date at Boughton, Jan. 5, 1568. Now it is scarce to be supposed that the copy would be sent into Scotland, be subscribed by the two Earls, and be seen and answered by Murray within so short a time. Murray's reply seems in-



tended only to prevent the impression which the vague and uncertain accusations of his enemies might make in his absence. Cecil had got the original of the queen's letter into his custody. And, iv. 185. This naturally leads us to conjecture that the letter itself, together with the inclosed protestation, were intercepted before they came to the hands of Huntly and Argyll. Nor is this mere conjecture alone. The letter to Huntly, in which the protestation was inclosed, is to be found; Cott. Lib. Cal. C. 1. fol. 280, and is an original subscribed by Mary, though not written by her own hand, because she seldom chose to write in the English language. The protestation is in the same volume, fol. 282, and is manifestly written by the same person who wrote the queen's letter. This seems to render it highly probable that both were intercepted. So that much has been founded on a paper not subscribed by the two Earls, and probably never seen by them. Besides, this method which the queen took of sending a copy to the two Earls, of what was proper for them to declare with regard to a conference held in their own presence, appears somewhat suspicious. It would have been more natural, and not so liable to any misinterpretation, to have desired them to write the most exact account, which they could recollect, of what had passed at the conversation at Craigmillar. 6. But even if all this reasoning should be set aside, and the authenticity of the protestation should be admitted in its full extent, it may still be a question, what degree of credit should be given to the assertion of the two Earls, who were not only present in the first parliament,

held by Murray as regent in December 1567, in which the one carried the sceptre, and the other the sword of state, Spotsw. 214. but were both members of the committee of lords of articles, and in that capacity assisted in framing all the acts by which the queen was deprived of the crown, and her son seated on the throne; and in particular concurred in the act by which it was decreed, that whatever had befallen the queen, "was in her own default, in so far as, be divers  
 "hir previe letters written haledie with hir own  
 "hand, and send by him to James sometyng Barle  
 "of Bothwell, cheif executour of the said horri-  
 "bill murthour, as weil befor the committing  
 "thair of as thair after: And be hir ungodlie and  
 "dishonourabill proceeding to ane pretendit mar-  
 "riage with him, suddaindie and unprovittie  
 "thair after, it is maist certane that scho was  
 "previe, sirt and pairt, of the actual devise and  
 "deid of the foynamit murthour of the king her  
 "lauchful husband, and thairfor justlie deservis  
 "quhatsumever hes bene done to hir in qny. tyme  
 "bygaine, or that sal be usit towards hir, for the  
 "said cause." Anders. ii. 231.

The queen's commissioners at the conferences in England accused Murray and his associates of having murdered the king. Good. ii. 281. But this charge is to be considered as a recrimination, extorted by the accusation preferred against the queen, and contains nothing more than loose and general affirmations, without descending to such particular circumstances as either ascertain their truth, or discover their falsehood. The same accusation is repeated by

the nobles assembled at Dunbarton Sept. 1561 Good. ii. 359. And the same observation may be made concerning it.

All the queen's advocates have endeavoured to account for Murray's murdering of the king, by supposing that it was done on purpose that he might have the pretence of disturbing the queen's administration, and thereby rendering ineffectual her general revocation of crown lands, which would have deprived him and his associates of the best part of their estates. Lesly Def. of Mary Hon. p. 73. Anders. iv. part ii. 130. But whoever considers the limited powers of a Scottish monarch, will see that such a revocation could not be very formidable to the nobles. Every king of Scotland began his reign with such a revocation: and as often as it was renewed, the power of the nobles rendered it ineffectual. The best vindication of Murray and his party from this accusation, is that which they presented to the queen of England, and which hath never hitherto been published.

*Answers to the Objections and Alledgance of the Queen, alledging the Earl of Murray Lord Regent, the Earl of Morton, Marr, Glencairn, Hume, Ruthven, &c. to have been moved to Armour, for that they abhorred and might not abide her Revocation of the Alienation made of her Property.*

[It is answered, that is alledged but [i. e. without] all appearance, and it appears God has blessed the alledgance of all wit and good remembrance, for this reasons following:

Item, as to my lord regent, he never had occasion to grudge thereof, in respect the queen made him privy to the same; and took resolution with him for the execution thereof, letting his lordship know she would assuredly in the same except all things she had given to him, and ratify them in the next parliament as she did indeed; and for that cause wished my lord to leave behind him master John Wood, to attend upon the same, to whom she declared, that also well in that as in all other her grants it should be provided, yet of free will did promise and offer before ever he demanded, as it came to pass without any lett or impediment; for all was ratified by her command, and hand write, at the parliament, but [i. e. without] any difficulty.

Item as to my Lord of Morton, he could not grudge thereof quia never had of her property worth twenty dollars that ever I knew of.

Item the same, may I say of my Lord Glencairn.

Item the same, may I say of my Lord Hume.

Item the same, I may say of my Lord Ruthven.

Item the same, I may say of my Lord Lindsay.

Only my Lord of Marr, had a little thing of the property quilk also was gladly and liberally confirmed to him, in the said parliament preceding a year; was never aye had any cause of miscontent of that revocation, far less to have put their lives and heritage to so open and manifest danger as they did for sic a frivolous cause.

Gyf ever any did make evill countenance, and show any miscontentment of the said revocation,

it was my Lord of Argyll in speciall, quha spak largely in the time of parliament thairanents to the queen herself, and did complain of the manifest corruption of ane act of parliament past upon her majesty's return, and sa did lett any revocation at that time; but the armour for revenge of the king's deid was not till twa months after, att quhat time there was no occasion given thereof, nor never a man had mind thereof.

Having thus examined the evidence which has been produced against the Earls of Murray and Bothwell; we shall next proceed to inquire whether the queen herself was accessory to the murder of her husband.

No sooner was the violent death of Darnly known, than strong suspicion arose an ong some of her subjects, that Mary had given her consent to the commission of that crime. And. ii. 156. We are informed, by her own ambassador in France, the archbishop of Glasgow, that the sentiments of foreigners, on this head, were no less unfavourable to her. Keith, Pref. ix. Many of her nobles loudly accused her of that crime, and a great part of the nation, by supporting them, seem to have allowed the accusation to be well founded.

Some crimes, however, are of such a nature, that they hardly admit of a positive or direct proof. Deeds of darkness can seldom be brought perfectly to light. Where persons are accused not of being *principals*, but only of being *accessaries* in the commission of a crime; not of having *perpetrated* it themselves, but only of giving

consent to the commission of it by others; the proof becomes still more difficult: and unless when some accomplice betrays the secret, a proof by circumstances, or presumptive evidence, is all that can be attained. Even in judicial trials, such evidence is sometimes held to be sufficient for condemning criminals. The degree of conviction which such evidence carries along with it, is often not inferior to that which arises from positive testimony; and a concurring series of circumstances satisfies the understanding no less than the express declaration of witnesses.

Evidence of both these kinds has been produced against Mary. We shall first consider that which is founded upon circumstances alone.

Some of these suspicious circumstances preceded the king's death; others were subsequent to it. With regard to the former we may observe that the queen's violent love of Darnly was soon converted into an aversion to him no less violent; and that his own ill conduct and excesses of every kind were such, that if they did not justify, at least they account for this sudden change of her disposition towards him. The rise and progress of this domestic rupture, I have traced with great care in the history, and to the proofs of it which may be found in papers published by other authors, I have added those contained in App. No. XVI. and XVII. Le Croc, the French ambassador, who was an eye-witness of what he describes, not only represents her aversion to Darnly to be extreme, but de-

declares that there could be no hopes of  
 cilement between them. [Dec. 12, 1566  
 queen is in the hands of physicians,  
 assure you is not at all well; and do be  
 principal part of her disease to consist in  
 and sorrow; nor does it seem possible to  
 forget the same. Still she repeats, *that*  
*I could wish to be dead.* You know very  
 the injury she has received is exceeding  
 and her majesty will never forget it.—  
 my mind freely to you, I do not expect  
 veral accounts, any good understanding  
 them [i. e. the king and queen], unless  
 lectually put to his hand.—[Dec. 23]  
 deportment is incurable; nor can there  
 any good expected from him, for several  
 which I might tell you was I present  
 I cannot pretend to foretell how all may  
 I will say, that matters cannot subsist  
 they are, without being accompanied with  
 bad consequences." Keith, Pref. vii. He  
 died a natural death at this juncture, it  
 been considered as a very fortunate event  
 queen, and as a seasonable deliverance  
 husband who had become altogether  
 her. Now, as Henry was murdered a  
 afterwards, and as nothing had happened  
 der the queen's aversion to him less in  
 opinion of those who consider Mary as  
 of an event which was manifestly so ag  
 her, will appear perhaps to some of our  
 be neither unnatural nor over-refined.  
 so this, what has been observed in the hi

in proportion to the increase of Mary's hatred to her husband, Bothwell seems to have made progress in her favour, and that he became the object not only of her confidence but her attachment, that opinion acquires new strength. It is easy to observe many advantages which might redound to Mary as well as to Bothwell from the king's death; but excepting them, no person and no party in the kingdom, could derive the least benefit from that event. Bothwell, accordingly, murdered the king, and it was, in that age, thought no unwarranted imputation on Mary's character, to suppose that she had consented to the deed.

The steps which the queen took after her husband's death add strength to that supposition. 1. Melvil, who was in Edinburgh at the time of the king's death, asserts, that "every body suspected the Earl of Bothwell; and those who durst speak freely to others, said plainly that it was he," p. 155. 2. Mary having issued a proclamation, on the 12th of February, offering a reward to any person who should discover those who had murdered her husband; And. i. 36. a paper in consequence of this was affixed to the gates of the Tolbooth, February 16, in which Bothwell was named as the chief person guilty of that crime, and the queen herself was accused of having given her consent to it. And. ii. 156. 3. Soon after, February 20, the Earl of Lennox, the king's father, wrote to Mary, conjuring her, by every motive, to prosecute the murderers, with the utmost rigour. He plainly declared his own suspicions of Bothwell, and pointed out a method of proceeding *against him, and for discovering the au-*



cl  
to  
121

crime, no less obvious than equi-  
 lised her to seize and to commit  
 Bothwell himself, and such as we  
 ed as his accomplices; to call an  
 he nobles; to issue a proclamatic  
 inviting Bothwell's accusers to appear; and  
 on that encouragement, no person appeared  
 accuse them, to hold them as innocent, and to d  
 miss them without farther trial. And. i. 40.  
 Archbishop Beatoun, her ambassador in France  
 in a letter to Mary, March 9th, employs argumet  
 of the utmost weight to persuade her to prosec  
 the murderers with the greatest severity. "I c  
 conclude nathing (says he) by quhat zour majes  
 writes to me zourself, that sen it has plesit G  
 to conserve zow to make a rigorous vengean  
 thereof, that rather than it be not actually tair  
 it appears to me better in this world that ze h  
 lost life and all. I ask your majestie pardon th  
 I writ sa far, for I can heir nathing to zour p  
 judise, but I *man* [must] constraindly writ the  
 min, that all may come to zour knowledge; for t  
 better remede may be put therto. Heir it is net  
 full that ze forth shaw now rather than ever  
 before, the greite vertue, magnanimitie, and co  
 stance that God has grantit zow, be quhais gra  
 I hope ze sall overcome this most heavie en  
 and displeisir of the committing thereof, and co  
 serve that reputation in all godliness, ze ha  
 conquest of lang, quhich can appear na wa  
 mair clearlie, than that zou do *sick* [such] just  
 that the *haill* [whole] world may declare ze  
 innocence, and give testimony for ever of th  
*treason that has committed* (*but* [without] fear

God or man) so cruel and ungodly a murder, quhair of there is in ~~is~~ <sup>is</sup> ~~no~~ [much] ill spoken, that I am constrained to ask you mercy, that neither can I or will I make the rehearsal thereof, which is our [too] odious. But alas! madame, all over Europe this day, there is na purpose in head as frequent as of your majestie, and of the present state of your realm, quhilk is in the most part interpretit sinisterly." Keith, Pref. ix. 5. Elizabeth, as appears from Appendix. No. XIX. urged the same thing in strong terms, 6. The circumstances of the case itself, no less than these solicitations and remonstrances, called for the utmost vigour in her proceedings. Her husband had been murdered in a cruel manner, almost in her own presence. Her subjects were filled with the utmost horror at the crime. Bothwell, one of her principal favourites, had been publicly accused as the author of it. Reflections, extremely dishonourable to herself, had been thrown out. If indignation, and the love of justice, did not prompt her to pursue the murderers with ardour, decency, at least, and concern for vindicating her own character, should have induced her to avoid any appearance of remissness or want of zeal.

But instead of this, Mary continued to discover, in all her actions, the utmost partiality towards Bothwell. On the 15th of February, five days after the murder, she bestowed on him the reversion of the superiority of the town of Leith, which, in the year 1565, she had mortgaged to the citizens of Edinburgh. This grant was of much importance, as it gave him not only the command of the principal port in the kingdom, but a great

ascendant over the citizens of Edinburgh, who wished much to keep possession of it<sup>a</sup>. 2. Bothwell being extremely desirous to obtain the com-

<sup>a</sup> *Copy from the original in the Charter-house of the city of Edinburgh of an assignation to the reversion of the superiority of Leith by Queen Mary, to the Earl of Bothwell.*

Maria Dei gratia Regina Scotorum, omnibus probis hominibus suis ad quos præsentes literæ pervenerint salutem. Sciatis, quod nos ad memoriam reducentes multiplex bonum verum et fidele servitium, non tantum quondam nostræ charissimæ matri Mariæ Reginae regni nostri pro tempore in nostra minoritate factum et impensum, verum etiam nobismet ipsis, tam intra partes Galliæ quam intra hoc nostrum regnum, ad extentionem nostri honoris et auctoritatis in punitione furum, malefactorum, et transgressorum infra idem, per nostrum confisum consanguineum et consiliarum Jacobum comitem Bothuile, dominum Halis, Creichton, et Liddisdale, magnum admirallum regni nostri, commissionem at operationem ad hunc effectum habentum, per quas ipse suum corpus et vitam in magno periculo posuit; ac etiam, in performance et extentione nostri dicti servitii, suam hereditatem, supra summam viginti millium mercarum hujus nostri regni, alienavit ac læsit. Et nos cogitantes quod es nostra principali honore et devoria dictum nostrum confisum consanguineum & consiliarium cum quodam accidente et gratitudine recompensare et gratificare incumbit quæ nos commodè sibi concedere poterimus, unde ipse magis habilis omnibus affuturis temporibus esse poterit, et ad hujusmodi performandum in omnibus causis seu eventibus; in recompensationem quorum præmissorum, ac pro diversis aliis nostris rationabilibus causis et considerationibus nos moventibus, Fecimus, &c. dictum Jacobum comitem Bothuile, &c. ac suos hæredes masculos quoscunque nostros legitimos, &c. assignatos in et ad literas reversionis factas, &c. per Symonem Preston de eodem militem, prepositum, balivos, consules et communitatem hujus nostri burgi de Edinburgh, pro seipsis ac suis successoribus, &c. nobis, nostrisque heredibus, successoribus, et assignatis pro redemptione, &c. superioritatis totius villæ de Leith, &c. impignoratæ per nos dictis preposito, &c. sub

of the castle of Edinburgh, the queen, in to prevail on the Earl of Mar to surrender vrnment of it, offered to commit the young to his custody. Mar consented; and she tly appointed Bothwell governor of the cas- And. i. Pref. 64. Keith, 379. note (d). e inquiry into the murder, previous to Both- trial, seems to have been conducted with utmost remissness. Buchanan exclaims against this. And. ii. 24. Nor was it at reason that he did so, as is evident from umstance in the affidavit of Thomas Nelson, e the king's servants, who was in the house his master was murdered, and was dug up out of the rubbish. Being examined on Monday after the king's death, " This de- schew that Bonkle had the key of the cel- nd the queenis servandis the keys of her ir. Quhilk the laird of Tillibardin hearing, Hald thair, here is ane ground. Efter : words spokin, thai left of, and procedit na r in the inquisition." And. iv. p. 2. 167. here been any intention to search into the n of the matter, a circumstance of so much tance merited the most careful inquiry. 4. one alienatæ continentis summam decem millium mer- monetæ præscriptæ numerandum et calculandum in ali ecclesiâ de Edinburgh, super premonitione quadri- ierum, ut moris est, veluti in dictis reversionis literis, data, 8vo Octob. 1565, &c. (The rest is form, and s a clause of absolute warrandice.) IN CUJUS REI MONIUM præsentibus magnum sigillum nostrum ap- cimus. Apud Edinburgh, decimo quinto die mensis rii, anno Domini millesimo quingentesimo sexagesimo et regni nostri vicesimo quinto.

The great seal entire.

Notwithstanding Lennox's repeated solicitations notwithstanding the reasonableness of his demands, and the necessity of complying with them in order to encourage any accuser to appear against Bothwell; she not only refused to commit him to custody, or even to remove him from presence and councils; And. i. 42. 48. but the grants which we have mentioned, and by other circumstances, discovered an increase of attachment to him. 5. She could not avoid bringing Bothwell to a public trial; but she permitted to sit as a member in that meeting of the parliament which directed his own trial; and the trial itself was carried on with such unnecessary precipitancy, and with so many other suspicious circumstances, as render his acquittal rather an argument of his guilt than a proof of his innocence. These circumstances have all been mentioned at length in Book IV. and therefore are not repeated in this place. 6. Two days after the trial Mary gave a public proof of her regard for Bothwell, by appointing him to carry the sceptre before her at the meeting of parliament. Keith, § 7. In that parliament, she granted him a ratification of all the great possessions and honours which she had conferred upon him, in which was contained an ample enumeration of all the services he had performed. And. i. 117. 8. Though Melvil who foresaw that her attachment to Bothwell would at length induce her to marry him, warned her of the infamy and danger which would attend that action, she not only disregarded this salutary admonition, but discovered what had passed between them to Bothwell, which exposed

ve filled her with the most violent indigna-

But according to the account of an old MS. the friendly love was so highly contracted between this great princess and her enormous subject that there was no end thereof, (for it was commonly esteemed by all men, that either of them loved the other carnally,) so that she suffered patiently

led where the lover list, and all the way her made obstacle, impediment, clamour, or offence, as in such accidents use to be, or that might have been done by her princely authority, accompanied with the noble Earl of Huntly, Secretary Maitland of Letlington." Keith,

Melvil, who was present, confirms this account, and tells us that the officer, by whom he was seized, informed him that nothing was done without the queen's consent. Melv. 158. 10. On the 12th of May, a few days before her marriage, Mary declared that she was then at full liberty, and that though Bothwell had offended her by seizing her person, she was so much satisfied with his dutiful behaviour since that time, and so

nued to express the most unalterable attachment to him. "I can perceive (says Sir N. Throckmorton) that the rigour with which the queen is kept, procedeth by order from these men, because that the queen will not by any means be induced to lend her authority to prosecute the murderer; nor will not consent by any persuasion to abandon the Lord Bothwell for her husband, but avoweth constantly that she will live and die with him; and saith, that if it were put to her choice to relinquish her crown and kingdom, or the Lord Bothwell, she would leave her kingdom and dignity to go a simple damsel with him, and that she will never consent that he shall fare worse, or have more harm than herself," Append. No. XXII. In all their negotiations with Throckmorton, the confederates mention this unalterable attachment of the queen to Bothwell, as a sufficient reason for rejecting his proposals of an accommodation with their sovereign. Keith, 419. 449. This assertion they renewed in the conferences at York, Anders. iv. part ii. p. 66. Murray in his interview with Mary in Lochleven, charged her with persisting in her inordinate affection to Bothwell. Keith, 446. All these, however, may be considered merely as accusations brought by the confederates, in order to vindicate their rigour towards the queen. But Throckmorton, who, by his residence in Edinburgh, and by his intercourse with the queen's partisans, as well as with her enemies, had many opportunities of discovering whether or not Mary had expressed herself in such terms, and who was disposed to view her actions in the most favourable light, appears, by the passage which I have quot-

ed from his letter of the 14th of July, to be persuaded that the confederates had not misrepresented her sentiments. He had soon an opportunity of being confirmed with greater certainty in this opinion. Although the confederates had refused him access to the captive queen, he found means of holding a secret correspondence with her, and endeavoured to persuade her to give her consent to have her marriage with Bothwell dissolved by a sentence of divorce, as the most probable means of regaining her liberty. She hath sent me word that she will in nowise consent unto that, but rather die. Append. No. XXII. There is evidence of the continuance of Mary's attachment still more explicit. Lord Herries, in the parliament held the 15th of December 1567, acknowledged the queen's inordinate affection to that wicked man, and that she could not be induced by persuasion to leave him; and that in sequestering her within Lochleven, the confederates had done the duty of noblemen. App. No. XXIV. In the year 1571, a conference was held by some deputies from a convention of 'clergy with the Duke of Châtelherault, secretary Maitland, Sir James Balfour, and Kirkaldy; and an account of it written by Mr Craig, one of the ministers of Edinburgh, is extant in Calderwood MSS. Hist. i. 244. In presence of all these persons, most of whom were in Edinburgh when the queen was taken at Carberry, Maitland, who was now an avowed partisan of Mary, declares, that on the same night she was brought to Edinburgh, he himself had offered, that if she would abandon Bothwell, she should have as thankful obedience



as ever she had since she came to Scotland. I no wise would she consent to leave Bothwell. According to Sir James Melvil, the queen for means of writing a letter to Bothwell on evening of that day, when she was conducted a prisoner to Edinburgh, in which she declared her affection to him in the most tender expressions, and her resolution never to abandon him. This letter, he says, was intercepted by the confederates, and determined them to confine Mary in the castle of Lochleven. But as neither Buchanan nor Knox, both abundantly disposed avail themselves of every fact and report that could be employed in order to represent Mary's conduct as improper and criminal, mention this letter; and as the confederates themselves, in their negotiations with Throckmorton, as well as their accusations of the queen before the English commissioners at York and Westminster, maintain the same silence with regard to it, I am satisfied that Melvil, who wrote his memoirs for the formation of his son in his old age, and long after the events which he records happened, has been mistaken with regard to this particular. From this long enumeration of circumstances, we may without violence, draw the following conclusion: had Mary really been accessory to the murder of her husband; had Bothwell perpetrated the crime with her consent, or at her command; had she intended to stifle the evidence against him, and to prevent the discovery of his guilt, she could scarcely have taken any other steps than those which she took, nor could her conduct

duct have been more repugnant to all the maxims of prudence and of decency. .

The positive evidence produced against Mary may be classed under two heads.

1. The depositions of some persons who were employed in committing the murder, particularly of Nicholas Hubert, who, in the writings of that age, is called *French Paris*. This person, who was Bothwell's servant, and much trusted by him, was twice examined, and the original of one of his depositions, and a copy of the other, are still extant. It is pretended that both these are notorious forgeries. But they are remarkable for a simplicity and *naïveté* which it is almost impossible to imitate; they abound with a number of minute facts and particularities, which the most dexterous forger could not have easily assembled and connected together with any appearance of probability; and they are filled with circumstances, which can scarcely be supposed to have entered the imagination of any man but one of Paris's rank and character. But, at the same time, it must be acknowledged, that his depositions contain some improbable circumstances. He seems to have been a foolish talkative fellow; the fear of death, the violence of torture, and the desire of pleasing those in whose power he was, tempted him, perhaps, to feign some circumstances, and to exaggerate others. To say that some circumstances in an affidavit are improbable or false, is very different from saying that the whole is forged. I suspect the former to be the case here; but I see no appearance of the latter. Be that as it will, some of the most material facts in Paris's af-

fidavits rest upon his single testimony ; and for that reason, I have not in the History, nor shall I in this place, lay any stress upon them.

2. The letters said to be written by Mary to Bothwell. These have been frequently published. The accident by which the queen's enemies got them into their possession, is related in Book V. When the authenticity of any ancient paper is dubious or contested, it may be ascertained either by external or internal evidence. Both these have been produced in the present case.

I. External proofs of the genuineness of Mary's letters. 1. Murray, and the nobles who adhered to him, affirm upon their word and honour, that the letters were written with the queen's own hand, with which they were well acquainted. Good. ii. 64. 92. 2. The letters were publicly produced in the parliament of Scotland, December 1567; and were so far considered as genuine, that they are mentioned in the act against Mary as one chief argument of her guilt. Good. ii. 66, 67. 3. They were shewn privately to the Duke of Norfolk, the Earl of Sussex, and Sir Ralph Sadler, Elizabeth's commissioners at York. In the account which they gave of this matter to their mistress, they seem to consider the letters as genuine, and express no suspicion of any forgery; they particularly observe, "that the matter contained in them is such, that it could hardly be invented and devised by any other than herself; for that they discourse of some things, which were unknown to any other than to herself and Both-

and as it is hard to counterfeit so many, so tter of them, and the manner how these men by them, is such, as it seemeth that God, in sight murder and bloodshed of the innocent minable, would not permit the same to be concealed." Good. ii. 142. They seen. to made such an impression on the Duke of k, that in a subsequent letter to Pembroke, ter, and Cecil, he has these words: " If tter shall be thought as detestable and ma- to you, as for ought we can perceive it h here to us." Good. ii. 154. Nor did k declare these to be his sentiments only lic official letters, he expressed himself in ne manner to his most confidential friends. :cret conference with the bishop of Ross at the duke informed him, that he had seen ters, &c. which the regent had to produce t the queen, whereby there would be such proved against her, as would dishonour : ever. State Trials, Edition of Hargrave, Murdin, 52. The bishop of Ross, if he own the letters to be a notorious forgery, ave been naturally led, in consequence of :claration, to undeceive the duke, and to : the imposture. But instead of this, the and he, and Lethington, after consulting er, agreed, that the bishop should write to then at Bolton, and instruct her to make proposal to Elizabeth as might prevent the production of the letters and other evidence. Trials, i. 94. Murdin, 45. Indeed the whole secret conference seems to imply, that Le- on, Ross, and Norfolk were conscious of

some defect in Mary's cause, and therefore exerted all their ingenuity in order to avoid a public accusation. Murdin, 52, 53. To Banister whom the duke seems to have trusted more entirely than any other of his servants, he expressed himself in similar terms with respect to the queen of Scots State Trials, i. 98. The words of Banister's evidence are remarkable: "I confess that I, waiting on my lord and master, when the Earl of Sussex and Mr Chancellor of the dutchy that now is were in commission at York, did hear his grace say, that upon examination of the matter of the murder, it did appear that the queen of Scots was guilty and privy to the murder of Lord Darnley whereby I verily thought that his grace would never join in marriage with her." Murdin, 184 Elizabeth, in her instructions to the Earl of Shrewsbury and Beale in 1583, asserts, that both the Duke and Earl of Arundel did declare to herself, that the proof, by the view of her letters, did fall out sufficient against the queen of Scots; however, they were after drawn to cover her faults and pronounce her innocency. MS. Advoc. Library. A. iii. 28. p. 314. from Cot. Lib. Callig. 94. A similar impression was made upon other contemporaries of Mary by the production of the letters, which implies a full belief of their being genuine. Cecil, in his correspondence with Sir Henry Norris, the English ambassador in France relates this transaction in terms which leave no room to doubt with respect to his own private opinion. In his letter, Decem. 14th, 1568, the very day on which the letters, &c. were laid before the meeting of privy counsellors and peers,

he informs him, "That the regent was driven, for his defence, to disclose a full fardel of the naughty matter, tending to convince the queen as deviser of the murder, and the Earl of Bothwell as her executioner; and now the queen's party, so great, refuse to make any answer, and press that their mistress may come in person to answer the matter herself, before the queen's majesty, which is not thought fit to be granted until the great blot of the marriage with her husband's murderer, and the evident charges, by letters of her own, to be deviser of the murder, be somewhat cleared out or recovered; for that as the matters are exhibited against her, it is far unseemly for any prince, or for chaste ears to be annoyed with the filthy noise thereof; and yet as being a commissioner, I must and will forbear to pronounce any thing herein certainly, though as a private person I cannot but with horror and trembling think thereof." Cabala, 156. 5. From the correspondence of Bowes, the English resident in Scotland, with Walsingham, in the year 1582, published towards the close of this Dissertation, it is manifest that both in England and Scotland, both by Elizabeth and James, both by the Duke of Lennox and Earl of Gowrie, the letters were deemed to be genuine. The eagerness, on one side to obtain, and on the other to keep, possession of the basket and letters, implies that this was the belief of both. These sentiments, of contemporaries, who were in a situation to be thoroughly informed, and who had abilities to judge with discernment, will, in the opinion of many of my readers, far outweigh theories, suppositions, and

conjectures, formed at the distance of two centuries. 6. The letters were subjected to a solemn and judicial examination with respect to their authenticity, as far as that could be ascertained by the resemblance of character and fashion of writing for after the conferences at York and Westminster were finished, Elizabeth, as I have related, assembled her privy counsellors, and joining to them several of the most eminent noblemen in her kingdom, laid before them all the proceedings against the Scottish queen, and particularly ordered, that "the letters and writings, exhibited by the regent, as the queen of Scots' letters and writing should also be shewed, and conference [i. e. comparison] thereof made in their sight, with the letters of the said queen's being extant, and heretofore written with her own hand, and sent to the queen's majesty; whereby may be searched and examined what difference is betwixt them." Good. ii. 252. They assembled accordingly, at Hampton Court, December 14 and 15, 1568 and, "The originals of the letters supposed to be written with the queen of Scots' own hand, were then also presently produced and perused; and being read, were duly conferred and compared, for the manner of writing, and fashion of orthography, with sundry other letters long since heretofore written, and sent by the said queen of Scots to the queen's majesty. In collation whereof no difference was found." Good. ii. 256. 7. Mary having written an apologetical letter for her conduct to the Countess of Lennox, July 10, 1570<sup>1</sup>

<sup>1</sup> Mary's letter has never been published, and ought to have a place here, where evidence on all sides is fairly pre-

she transmitted it to her husband then in Scotland; and he returned to the Countess the following answer: "Seeing you have remittit to me, to answer the queen the king's mother's letters sent to you, what can I say but that I do not marvel to see hir writ the best she can for herself, to seeme to purge her of that, quhair of many be-

lieved. "Madam, if the wrang and false reportis of rebels, enemies well known for traitouris to zow, and alace to muche trusted of me by your advice, had not so far stirred you againe my innocency (and I must say againe all kyndness, that zow have not onlie as it were condempnait me wrongfullie, but so hated me, as some wordis and open detraite hes testifict to all the warlde, a manifest misliking in zow againe your awn blude), I wold not have omittit thus ingenu dewtie in writing to zow excusing me of those untrew reportis made of me. But hoping with Godis grace and tyme to have my innocency known to zow, as I trust it is al-ready to the maist part of all indifferent personis, I thocht it best not to trouble zow for a tyme till that such a matter is moved that tuichis us bayth, quhilk is the transporting zoure little son, and my onlie child in this countrey. To the quhilk albeit I be never so willing, I wald be glaid to have zoure advyce therein, as in all other thingis tuiching him. I have born him, and God knawis with quhat danger to him and me both; and of zow he is descendit. So I mean not to forget my dewtie to zow, in schewin herefn any unkyndness to zow, how unkyndlie that ever ze have delt with me, but will love zow as my awnt, and respect zow as my moder in law. And gif ye ples to know farther of my mynd in that and all other thingis betwixt us, my ambassador, the bishop of Ross sall be ready to confer with zow. And so after my hairtlie commendationis, remitting me to my saide ambassador, and zour better consideration, I commit zow to the protection of Almighty God, quhom I pray to preserve zow and my brother Charles, and cans zow to know my pairt better nor ze do, From Chastworth this x of July 1570.

To my Ladie Lennox  
*my moder in law,*

Your natural gude Niece  
and lovinge dochter."



syde me are certainly persuadit of the contrary, and I not only assurit by my awin knowledge, but by her hand writ, the confessionis of men gone to death, and uther infallibil experience. It wull be lange time that is hable to put a mattir so notorious in oblivion, to mak black quhyte, or innocency to appear quhair the contrary is as weill knawin. The maist indifferent, I trust, doubtis not of the equite of zour and my cause, and of the just occasioun of our mysliking. Hir richt dewtie to zow and me, being the parties interest, were hir trew confesioun and unfeyned repentance of that lamentable fact, odious for hir to be reportit, and sorrowfull for us to think of. God is just, and will not in the end be abused; but as he has manifested the trewth, so will he puneise the iniquity." *Lennox's Orig. Regist. of Letters.* In their public papers, the queen's enemies may be suspected of advancing what would be most subservient to their cause, not what was agreeable to truth, or what flowed from their own inward conviction. But in a private letter to his own wife, Lennox had no occasion to dissemble; and it is plain, that he not only thought the queen guilty, but believed the authenticity of her letters to Bothwell. 8. In opposition to all these reasons for believing the letters, &c. to be authentic, the conduct of the nobles confederated against Mary, in not producing them directly as evidence against her, has been represented as an irrefragable proof of their being forged. According to the account of the confederates themselves, the casket containing the letters was seized by them on the *twentieth of June one thousand five hundred and*

ven: but the first time that they were ju-  
 stated as evidence against the queen was  
 sting of the regent's privy council, De-  
 fourth, and they afterwards served as the  
 ion of the acts made against her in the  
 ent held on the fifteenth of the same month.  
 sters had been genuine; it is contended,  
 obtaining possession of them must have  
 much matter of triumph to the confede-  
 hat they would instantly have proclaimed  
 a whole world; and in their negotiations  
 a English and French ministers, or with  
 their fellow-subjects as condemned their  
 lings, they would have silenced, at once,  
 dvocate for the queen, by exhibiting this  
 ing proof of her guilt. But in this reason-  
 icient attention is not paid to the delicate  
 ilous situation of the confederates at that  
 e: They had taken arms against their so-  
 , had seized her person at Carberry-hill,  
 d confined her a prisoner at Lochleven.  
 nderable number, however, of their fellow-  
 s, headed by some of the most powerful  
 en in the kingdom, was combined against  
 This combination, they soon perceived, they  
 ot hope to break or to vanquish without  
 er from France or England. In the for-  
 gdom, Mary's uncles, the Duke of Guise  
 rdinal of Lorraine, were, at that period, all-  
 al, and the king himself was devotedly at-  
 to her. If the confederates confined their  
 o the dissolution of the marriage of the  
 with Bothwell, and to the exclusion of him  
 from her presence, they might hope, per-

haps, to be countenanced by Charles IX. and his ministers, who had sent an envoy into Scotland of purpose to dissuade Mary from that ill-fated match; Append. No. XXII.; whereas the loading her publicly with the imputation of being accessory to the murder of her husband, would be deemed such an inexpressible crime by the court of France, as must cut off every hope of countenance or aid from that quarter. From England, with which the principal confederates had been long and intimately connected, they had many reasons to expect more effectual support; but to their astonishment, Elizabeth condemned their proceedings with asperity, warmly espoused the cause of the captive queen, and was extremely solicitous to obtain her release and restoration. Nor was this merely only one of the artifices which Elizabeth often employed in her transactions with Scotland. Though her most sagacious ministers considered it as the wisest policy to support the confederate lords rather than the queen of Scots, Elizabeth disregarded their counsel.

<sup>c</sup> This was the opinion of Throckmorton, as appears from an extract of his letter of July 11th, published in the Append. No. XXII. The same were the sentiments of Cecil, in his letter of Aug. 19th, 1567, to Sir Henry Norris, Elizabeth's ambassador to France: "You shall perceive," says he, "by the queen's letter to you, at this present, how earnestly she is bent in favour of the queen of Scots, and truly since the beginning she hath been greatly offended with the lords; and, howsoever her majesty might make her profit by bearing with the lords in this action, yet no counsel can stay her majesty from manifesting her misliking of them." *Cabala*, 140. And in his letter of Sept. 2d, "The queen's majesty our sovereign, remaineth still offended with the lords for the queen; the example moveth her," *Ib.* 141, *Digges Comp. Amb.* 14.

nations of royal authority, and of the due by subjects, induced her, on this to exert herself in behalf of Mary, not sincerity but with zeal; she negotiated, ited, she threatened. Finding the con- inflexible, she endeavoured to procure lease by means of that party in Scotland ntinued faithful to her, and instructed rton to correspond with the leaders of it, ke overtures to that effect. Keith, 451.

. XXII. She even went so far as to direct ssador at Paris to concert measures with h king how they, by their joint efforts, rsuade or compel the Scots to "se- e the queen her good sister to be their lady and queen, and renounce their e to her son." Keith, 462, 3, 4. From circumstances, the confederates had son to apprehend that Mary would soon erty, and by some accommodation be to the whole, or at least to a considerable f her authority as sovereign. In that y foresaw, that if they should venture to r publicly of a crime so atrocious as the f her husband, they must not only be ex- r ever from power and favour but from of personal safety. On this account : confined themselves to that which was : declared to be the reason of their tak- : the avenging the king's death, the dis- ie marriage with Bothwell, the inflicting ndign punishment, or banishing him for : the queen's presence. It appears from

the letters of Throckmorton, published by bishop Keith, and in my Appendix, that his sagacity easily discovered that this would be the tenor of their conduct. In his letter from Edinburgh, dated July 14th, he observes, that "they do not forget their own peril conjoined with the danger of the prince; but, as far as I perceive, they intend not to touch the queen either in surety or in honour; for they will not speak of her with respect and reverence, and I can affirm, as I do learn, that, the condition aforesaid accomplished [i. e. the separation from Bothwell] they will both put her to liberty, and restore her her estate." Append, No. XXII. His letter of August 22d, contains a declaration made to him by Lethington, in name and in presence of his associates, that they never meant harm neither to the queen's person nor to her honour—that they have been contented hitherto to be condemned, if it were, of all princes, strangers, and, namely, of the queen of England, being charged of grievous and infamous titles, as to be noted rebels, traitors, seditious, ingrate, and cruel, all which they suffer and bear upon their backs, because they will not justify themselves, nor proceed in any thing that may touch their sovereign's honour. But in case they be with these defamations continually oppressed, or with the force, aid, and practices of other princes, and namely of the queen of England put in danger, or to an extremity, they shall be compelled to deal otherwise with the queen than they intend, or than they desire; for, added here you may be sure we will not lose our lives, have our lands forfeited, and be reputed rebels through the world, seeing we have the means to justify

a," Keith, 448. From this view of the ground on which they stood at that time, deduct in not producing the letters for several months, appears not only to have been prudent essential to their own safety. At a subsequent period, when the confederates found it necessary to have a form of government which they had established, confirmed by act of parliament, a different mode of proceeding became requisite. All that had hitherto done with respect to the queen's dismissal, placing the young king upon the throne, and appointment of a regent, was in reality nothing more than the deed of private men. It required exhibition of some legal evidence to procure a constitutional act giving the sanction of its assent to such violent measures, and to obtain the sanction of law and security for all them that either gave, counsel, or subscription, had entered into the cause since the beginning." Haynes, 453. He prevailed with the regent and his secretaries, after long deliberation, to agree to produce the evidence of which they were possessed, and upon that production parliament passed the acts which were required. Such a step had happened in the state of the kingdom which induced the confederates to venture upon this in their conduct. In June, a powerful coalition was forming against them, under the leadership of the Hamiltons. In December, that coalition was broken; most of the members disavowed and acknowledged the king as their lawful sovereign, and had submitted to the regent's government. Huntly, Argyll, Herries, the most

powerful noblemen of that party, were present; the parliament, and concurred in all its acts. Edinburgh, Dunbar, Dunbarton, and all the chief strong holds in the kingdom, were now in the hands of the regent; the arms of France had full occupation in its civil war with the Hugonots. The ardour of Elizabeth's zeal in behalf of the captive queen seems to have abated. A step that would have been followed with ruin to the confederates in June, was attended with little danger in December. From this long deduction it appears, that no proof of the letters being forged can be drawn from the circumstance of their not having been produced immediately after the twentieth of June; but though no public accusation was brought instantly against the queen, in consequence of seizing the casket, hints were given by the confederates, that they possessed evidence sufficient to convict her. This is plainly implied in a letter of Throk Morton, July 21st, Keith, Pref. p. xii. and more clearly in the passage which I have quoted from his letter of August 22. In his letter of July 25, the papers contained in the casket are still more plainly pointed out. "They [i. e. the confederates] say that they have as apparent proof against her as may be, as well by the testimony of her own hand-writing, which they have recovered, as also by sufficient witnesses." Keith, 426.

II. With regard to the internal proofs of the genuineness of the queen's letters to Bothwell we may observe, 1. That whenever a paper is forged with a particular intention, the eagerness of the forger to establish the point in view, hi

solicitude to cut off all doubts and cavils, and to avoid any appearance of uncertainty, seldom fail of prompting him to use expressions the most explicit and full to his purpose. The passages foisted into ancient authors by heretics in different ages; the legendary miracles of the Romish saints; the supposititious deeds in their own favour produced by monasteries; the false charters of homage mentioned Vol. I. p. 13. are so many proofs of this assertion. No maxim seems to be more certain than this, that a forger is often apt to prove too much, but seldom falls into the error of proving too little. The point which the queen's enemies had to establish was "that as the Earl of Bothwell was chief executor of the horrible and unworthy murder perpetrated, &c. so was she of the foreknowledge, counsel, devise, persuader, and commander of the said murder to be done." Good. ii. 207. But of this there are hints, obscure intimations, and dark expressions in the letters, which, however convincing evidence they might furnish if found in real letters, bear no resemblance to that glare and superfluity of evidence which forgeries commonly contain. All the advocates for Mary's innocence in her own age, contend that there is nothing in the letters which can serve as a proof of her guilt. Lesly, Blackwood, Turner, &c. abound with passages to this purpose; nor are the sentiments of those in the present age different. "Yet still it might have been expected (says one of her ablest defenders) that some one or other of the points or articles of the accusation should *be made* out clearly by the proof.



But nothing of that is to be seen in the present case. There is nothing in the letters that could plainly shew the writer to have been in the foreknowledge, counsel, or device of any murder, far less to have persuaded or commanded it ; and as little is there about maintaining or justifying any murders." Good. i. 76. How ill advised were Mary's adversaries, to contract so much guilt; and to practise so many artifices, in order to forge letters, which are so ill contrived for establishing the conclusion they had in view ? Had they been so base as to have recourse to forgery, is it not natural to think that they would have produced something more explicit and decisive ?

2. It is almost impossible to invent a long narration of fictitious events, consisting of various minute particulars, and to connect these in such a manner with real facts, that no mark of fraud shall appear. For this reason, skilful forgers avoid any long detail of circumstances, especially of foreign and superfluous ones, well knowing that the more these are multiplied, the more are the chances of detection increased. Now Mary's letters, especially the first, are filled with a multiplicity of circumstances, extremely natural in a real correspondence, but altogether foreign to the purpose of the queen's enemies, and which it would have been extreme folly to have inserted, if they had been altogether imaginary, and without foundation.

3. The truth and reality of several circumstances in the letters, and these too, of no very public nature, are confirmed by undoubted collateral evidence. Lett. 1. Good. ii. p. 1. *The queen is said to have met one of Lena*

nok's gentlemen, and to have had some conversation with him. Thomas Crawford, who was the person, appeared before Elizabeth's commissioners, and confirmed, upon oath, the truth of this circumstance. He likewise declared, that during the queen's stay at Glasgow, the king repeated to him, every night, whatever had passed through the day between her majesty and him! and that the account given of these conversations in the first letter, is nearly the same with what the king communicated to him. Good. ii. 245. According to the same letter there was much discourse between the king and the queen concerning Mynto, Hiegait, and Walcar. Good. ii. 8. 10, 11. What this might be, was altogether unknown, until a letter of Mary's, preserved in the Scottish college at Paris, and published, Keith, Pref. vii. discovered it to be an affair of so much importance as merited all the attention she paid to it at that time. It appears by a letter from the French ambassador that Mary was subject to a violent pain in her side. Keith, ib. This circumstance is mentioned, Lett. 1. p. 30. in a manner so natural as can scarcely belong to any but a genuine production. If we shall still think it probable to suppose that so many real circumstances were artfully introduced into the letters by the forgers, in order to give an air of authenticity to their production; it will hardly be possible to hold the same opinion concerning the following particular. Before the queen began her first letter to Bothwell, she, as usual among those who write long letters containing a variety of subjects, made notes or *memorandums* of the particulars she wished to

remember; but as she sat up writing during a great part of the night, and after her attendants were asleep, her paper failed her, and she continued her letter upon the same sheet on which she had formerly made her memorandums. This she herself takes notice of, and makes an apology for it: "It is late; I desire never to cease from writing unto you, yet now after the kissing of your hands, I will end my letter. Excuse my evil writing, and read it twice over. Excuse that thing that is scriblit, for I had na paper zesterday, quhen I wraite that of the memorial." Good. iii. 28. These memorandums still appear in the middle of the letter; and what we have said seems naturally to account for the manner how they might find their way into a real letter. It is scarce to be supposed, however, that any forger would think of placing memorandums in the middle of a letter, where, at first sight, they make so absurd and so unnatural an appearance. But if any shall still carry their refinement to such a length, as to suppose that the forgers were so artful as to throw in this circumstance, in order to preserve the appearance of genuineness, they must at least allow that the queen's enemies, who employed these forgers, could not be ignorant of the design and meaning of these short notes and memorandums; but we find them mistaking them so far as to imagine that they were the *credit of the bearer*, i. e. points concerning which the queen had given him verbal instructions. Good. ii. 152. This they cannot possibly be; for the queen herself writes with so much exactness concerning the different points in the *memorandums*, that there was no need of giving any

or instructions to the bearer concerning

The memorandums are indeed the *contents* letter. 5. Mary, mentioning her conversation with the king, about the affair of Mynto, &c. says, "The morne [i. e. to-morrow] speik to him upon that point;" and then "As to the rest of Willie Hiegait's, he con-; but it was the morne [i. e. the morning] y coming or he did it," Good. ii. 9. This n, which could not have been made till the conversation happened, seems either to been inserted by the queen into the body of ter, or, perhaps, she having written it on margin, it was taken thence into the text. suppose the letter to be a real one, and at different times, as it plainly bears, this instance appears to be very natural; but no could have induced a forger to have ven- upon such an anachronism, for which there necessity. An addition perfectly similar made to a genuine paper, may be found, ii. 282.

, on the other hand, Mary herself, and vocates for her innocence, have contended, these letters were forged by her enemies, on se to blast her reputation, and to justify own rebellion. It is not necessary to take of the arguments which were produced, own age, in support of this opinion; the ations which we have already made, con- full reply to them. An author, who has ed into the affairs of that period with great ry, and who has acquired much knowledge m, has published (as he affirms) a demon-

stration of the forgery of Mary's letters. This demonstration he founds upon evidence both internal and external. With regard to the former, he observes that the French copy of the queen's letters is plainly a translation of Buchanan's Latin copy : which Latin copy is only a translation of the Scottish copy ; and, by consequence, the assertion of the queen's enemies, that she wrote originally in French, is altogether groundless, and the whole letters are gross forgeries. He accounts for this strange succession of translations, by supposing that when the forgery was projected, no person could be found capable of writing originally in the French language letters which would pass for the queen's ; for that reason they were first composed in Scottish ; but unluckily the French interpreter, as he conjectures, did not understand that language ; and therefore Buchanan translated them into Latin, and from his Latin they were rendered into French. Good. i. 79. 80.

It is hardly necessary to observe, that no proof whatever is produced of any of these suppositions. The manners of the Scots, in that age, when almost every man of rank spent a part of his youth in France, and the intercourse between the two nations was great, render it altogether improbable that so many complicated operations should be necessary in order to procure a few letters to be written in the French language.

But without insisting farther on this, we may observe that all this author's premises may be granted, and yet his conclusion will not follow, *unless* he likewise prove that the French letters

we now have them, are a true copy of those which were produced by Murray and his party in the Scottish parliament, and at York and Westminster. But this he has not attempted; and if he attend to the history of the letters, such an attempt, it is obvious, must have been unsuccessful. The letters were first published at the end of Buchanan's *Detection*. The first edition of his treatise was in Latin, in which language three of the queen's letters were subjoined to it; this Latin edition was printed A. D. 1571. Soon after, a Scottish translation of it was published, and at the end of it were printed, likewise in Scottish, the three letters which had formerly appeared in Latin, and five other letters in Scottish, which were not in the Latin edition. Next appeared a French translation of the *Detection*, and of seven of the letters; this bears to have been printed at Edinburgh by Thomas Waltem, 1572. The name of the place, as well as the printer, is allowed by parties to be a manifest imposture. Our author, from observing the day of the month, from which the printing is said to have been finished, asserted that this edition was printed at London; but no stress can be laid upon a date found in a book, where every other circumstance with regard to the printing is allowed to be false. Wood, who (next to Lesly) was the best informed of all Mary's advocates in that age, says that the French edition of the *Detection* published in France: "Il (Buchanan) a adjousté a ceste declamation un petit du pretendu mariage du duc de Norfolk, a façon de son proces, et la tout envoyé

aux freres a la Rochelle, lesquels voyants qu'il pouvoit servir a la cause, l'ont traduit en François, et iceluy fut imprimée a Edinbourg, c'est a dire a la Rochelle, par Thomas Waltem, nom aposté et fait a plaisir. Martyre de Marie. Jebb, ii. 256." The author of the *Innocence de Marie*, goes farther, and names the French translator of the Detection, " Et icelui premierement composé (comme il semble) par George Buchanan Escossoys, et depuis traduit en langue Française par un Hugonot, Poitevin (avocat de vocation) Camuz, soy disant gentilhomme, et un de plus remarquez sediteuz de France. Jebb, i. 425, 443." The concurring testimony of two contemporary authors, whose residence in France afforded them sufficient means of information, must outweigh a slight conjecture. This French translator does not pretend to publish the original French letters as written by the queen herself; he expressly declares that he translated them from the Latin. Good. i. 103. Had our author attended to all these circumstances, he might have saved himself the labour of so many criticisms to prove that the present French copy of the letters is a translation from the Latin. The French editor himself acknowledges it, and, so far as I know, no person ever denied it.

We may observe, that the French translator was so ignorant, as to affirm that Mary had written these letters, partly in French, partly in Scottish Good. i. 103. Had this translation been published at London by Cecil, or had it been made by his direction, so gross an error would not have been admitted into it. This error, how-

ed, will owing to an odd circumstance. In the Scottish translation of the Detection, two or three stanzas of the original French were prefixed to each letter, which breaking off with an &c. the Scottish translation of the whole letter followed. His method of printing translations was not uncommon in that age. The French editor observing this, foolishly concluded that the letters had been written partly in French, partly in Scottish.

If we carefully consider these few French sentences of each letter, which still remain, and apply to them that species of criticism, by which the author has examined the whole, a clear proof will arise, that there was a French copy not translated from the Latin, but which was itself the original from which both the Latin and Scottish were translated. This minute criticism must necessarily be disagreeable to many readers; but still a few sentences only are to be examined, which will render it extremely short.

In the first letter, the French sentence prefixed to it ends with these words, *y faisoit bon*. It is in this expression, *veu ce que peut un corps sans*, is by no means a translation of *cum plane de essent atque corpus sine corde*. The whole sentence has a spirit and elegance in the French, neither the Latin nor the Scottish have retained. *Jusque à la dinée* is not a translation of *randii tempore*; the Scottish translation, *dinner-time*, expresses the sense of the more properly; for anciently *quâle* signified as well as *during*. *Je ne'ay pas tenu propos* is not justly rendered *neque contulerim cum quoquam*; the phrase used in the



French copy is one peculiar to that language and gives a more probable account of her behaviour than the other, *Jugeans bien qu'il n'y faisoit bon*, is not a translation of *ut qui judicare id non esse ex usu*. The French sentence prefix to lett. 2. ends with *apprendre*. It is evident that both the Latin and Scottish translations have omitted altogether these words, *et toutefois je n'ai pu apprendre*. The French sentence prefix to lett. 3. ends with *precenter*. *J'aye veillé plus tard la haut* is plainly no translation of *diutius illic moratus sum*; the sense of the French is better expressed by the Scottish, *I have walkit late there up*. Again *Pour excuser vostre affaire* very different from *ad excusandam nostra negotia*. The five remaining letters never appeared in Latin; nor is there any proof of their being ever translated into that language. Four of them however, are published in French. This entirely overturns our author's hypothesis concerning the necessity of a translation into Latin.

In the Scottish edition of the Detection the whole sonnet is printed in French as well as in Scottish. It is not possible to believe that the Scottish copy could be the original from which the French was translated. The French consists of verses which have both measure and rhyme and which, in many places, are far from being inelegant. The Scottish consists of an equal number of lines, but without measure or rhyme. Now no man could ever think of a thing so absurd and impracticable, as to require one to translate certain given number of lines in prose into an equal number of verses, where both measure and

were to be observed. The Scottish, on the contrary, appears manifestly to be a translation of the French; the phrases, the idioms, and the words are French, and not Scottish. The Scottish translator has, in several instances, mistaken the sense of the French, and in more expresses the sense imperfectly. Had the letter not been forged, this could not have happened. The directors of the fraud would have stood their own work. I shall satisfy myself with one example, in which there is a proof of many assertions. Stanza viii. ver. 9.

our luy j'attendz toute bonne fortune,  
our luy je veux garder santè et vie,  
our luy tout vértu de suivre j'ay envie.

For him I attend all good fortune,  
For him I will conserve helthe and lyfe,  
For him I desire to ensue courage.

The *and* in the first line is not a Scottish, but a French phrase; the two other lines do not express the sense of the French, and the last is absolute nonsense.

The eighth letter was never translated into English. It contains much refined mysticism and devices, a folly of that age, of which Mary was very fond, as appears from several other circumstances, particularly from a letter concerning her as by Drummond of Hawthornden. If the adversaries forged her letters, they were very idly employed when they produced

From these observations it seems to be evident that there was a French copy of Mary's letters,

of which the Latin and Scottish were translations. Nothing now remains of this but those few sentences which are prefixed to the Scottish translation. The French edition holds of these sentences, and tacked the translation to them, which, so far as it is a work, is a servile and a very wretched translation of Buchanan's Latin; whereas, in those select sentences, we have discovered marks of their being originals, and certain that they are not translated from the Latin.

It is apparent, too, from comparing the Latin and Scottish translations with these sentences, that the Scottish translator has more perfectly attained the sense and spirit of the French than the Latin. And as it appears, that the French were very early translated into Scottish Gaelic, it is probable that Buchanan's translation, not from the French, but from a Scottish copy. Were it necessary, several proofs of this might be produced; that has been already mentioned seems to be one. *Diutius illic morata sum* bears not the least resemblance to *j'ay veillé plus tard la nuit*; but instead of *I waited* [i. e. watched] *later than* we suppose that Buchanan read *I waited*, mistake, into which he might so easily fall, accounts for the error in his translation.

These criticisms, however minute, are well founded. But whatever opinions are formed concerning them, the other arguments with regard to the internal evidence, retain full force.

The external proofs of the forgery of the queen's letters, which our author has produced, appear at first sight to be specious, but are not more solid than that which we have already examined. These proofs may be classed under two heads. 1. The erroneous and contradictory accounts which are said to be given of the letters, upon the first judicial production of them. In the secret council held Decemb. 4. 1567, they are described "as her privie letters written and subscrivit with her awin hand." Haynes, 454. Good. ii. 64. In the act of parliament, passed on the 15th of the same month, they are described as "her privie letters written halelie with her awin hand." Good. ib. 67. This diversity of description has been considered as a strong presumption of forgery. The manner in which Mr Hume accounts for this is natural and plausible, vol. v. p. 498. And several ingenious remarks tending to confirm his observations, are made in a pamphlet lately published, entitled, *Miscellaneous Remarks on the Enquiry into the evidence against Mary Queen of Scots*. To what they have observed it may be added, that the original act of secret council does not now exist; we have only a copy of it found among Cecil's papers, and the transcriber has been manifestly so ignorant, or so careless, that an argument founded entirely upon the supposition of his accuracy is of little force. Several errors into which he has fallen we are enabled to point out, by comparing his copy of the act of secret council with the act of parliament passed in consequence of it. The former contains a petition to parliament; in the latter the *real* petition is resumed *verbatim*, and con-

verted into a law. In the copy, the queen'sriage with Bothwell is called "a priveit marriage" which it certainly was not; for it was celebrated after proclamation of banns, in St Giles's church three several days, and with public solemnity in the act it is denominated "ane pretenditriage," which is the proper description of it according to the ideas of the party. In the original the queen is said "to be so thrall and blawfectionat to the privat appetite of that tyrant" which is nonsense, but in the act it is "blaw affectionat." In the copy it is said, "all honest and virtuous men abhorring their traine and company;" in the act, "their tyrannie and covin," which is evidently the true reading, the other has either no meaning, or is a mere tautology. 2. The other proof of the forgery of the letters, is founded upon the impossibility of reconciling the account, given of the time when, the places from which, the letters are supposed to have been written, with what is certainly known concerning the queen's motions. According to the paper published, Anders. ii. 269. which has been called Murray's Diary, and which is founded upon the authority of the letters, Mary set out from Edinburgh to Glasgow, January 21, and she arrived there on the 23d; left that place on the 27th; she, together with the king, reached Linlithgow on the 28th, stayed in that town one night, and returned to Edinburgh before the end of the month. But, according to Mr Campbell, the queen did not leave Edinburgh until the day January 24th; as she stayed a night at Leith, she could not reach Glasgow soone

the evening of Saturday the 25th, and she returned to Linlithgow on Tuesday the 28th. By consequence, the first letter, which supposes the queen to have been at least four days in Glasgow, as well as the second letter, which bears date at Glasgow *Saturday morning*, whereas she did not arrive there until the evening, must be forgeries. That the queen did not set out from Edinburgh sooner than the 24th of January, is evident (as he contends) from the public records, which contain a *Precept of a confirmation of a life-rent* by James Boyd to Margaret Chalmers, granted by the queen, on the 24th of January, at Edinburgh; and likewise a letter of the queen's dated at Edinburgh on the same day, appointing James Inglis taylor to the prince her son. That the king and queen had returned to Linlithgow on the 28th, appears from a deed, in which they appoint Andrew Ferrier keeper of their palace there, dated at Linlithgow, January 28. Good. i. 118.

This has been represented to be not only a convincing, but a legal proof of the forgery of the letters said to be written by Mary; but how far it falls short of this, will appear from the following considerations:

1. It is evident, from a declaration or confession made by the bishop of Ross, that before the conferences at York, which were opened in the beginning of October 1568, Mary had, by an artifice of Maitland's, got into her hands a copy of those letters which her subjects accused her of having written to Bothwell. Brown's Trial of the Duke of Norfolk, 31. 36. It is highly probable that the bishop of Ross had seen the letters.

before he wrote the defence of queen Mary's honour in the year 1570. They were published to all the world, together with Buchanan's Detection, A. D. 1571. Now, if they had contained an error so gross, and, at that time, so obvious to discovery, as the supposing the queen to have passed several days at Glasgow, while she was really at Edinburgh; had they contained a letter dated at Glasgow, Saturday morning, though she did not arrive there till the evening; is it possible that she herself, who knew her own motions, or the able and zealous advocates who appeared for her in that age, should not have published and exposed this contradiction, and, by so doing, have blasted at once the credit of such an imposture? In disquisitions which are naturally abstruse and intricate, the ingenuity of the latest author may discover many things which have escaped the attention, or baffled the sagacity, of those who have formerly considered the same subject. But when a matter of fact lay so obvious to view, this circumstance of its being unobserved by the queen herself, or by any of her adherents, is almost a demonstration that there is some mistake or fallacy in our author's arguments. So far are any, either of our historians, or of Mary's defenders, from calling in question the common account concerning the time of the queen's setting out to Glasgow, and her returning from it, that there is not the least appearance of any difference among them with regard to this point. But farther,

2. Those papers in the public records, on which our author rests the proof of his assertion con-

cerning the queen's motions, are not the originals subscribed by the queen, but copies only, or translations of copies of those originals. It is not necessary, nor would it be very easy, to render this intelligible to persons unacquainted with the forms of law in Scotland; but every Scotsman conversant in business will understand me when I say that the precept of confirmation of the life-rent to Boyd is only a Latin copy or note of a precept, which was sealed with the privy seal, on a warrant from the signet-office, proceeding on a signature which bore date at Edinburgh the 24th of January; and that the deed in favour of James Inglis is the copy of a letter, sealed with the privy seal, proceeding on a signature which bore date at Edinburgh January 24. From all this we may argue with some degree of reason, that a proof founded on papers which are so many removes distant from the originals, cannot but be very lame and uncertain.

6. At that time all public papers were issued in the name both of the king and queen; by law, the king's subscription was no less requisite to every paper than the queen's; and therefore unless the original signatures be produced, in order to ascertain the particular day when each of them signed, or to prove that it was signed only by one of them, the legal proof arising from the papers would be, that both the king and queen signed them at Edinburgh on the 24th of January.

The dates of the warrants or precepts issued by the sovereign in that age, seem to have been in a great measure arbitrary, and affixed at



the pleasure of the writer ; and of consequence, these dates were seldom accurate, are often false, and can never be relied upon. This abuse became so frequent, and was found to be so pernicious, that an act of parliament A. D. 1592, declared the fixing a false date to a signature to be high treason.

5. There still remain, in the public records, a great number of papers, which prove the necessity, of this law, as well as the fallacy of our author's arguments. And though it be no easy matter, at the distance of two centuries, to prove any particular date to be false, yet surprising instances of this kind shall be produced. Nothing is more certain from history, than that the king was at Glasgow 24th January 1567 ; and yet the record of signatures from 1565 to 1582, fol. 16th, contains the copy of a signature to Archibald Edmonston, said to have been subscribed by *our sovereigns*, i. e. the king and queen, at Edinburgh, January 24, 1567 ; so that if we were to rely implicitly upon the dates in the records of that age, or to hold our author's argument to be good, it would prove that not only the queen, but the king too, was at Edinburgh on the 24th of January.

It appears from an original letter of the bishop of Ross, that on the 25th of October 1566, Mary lay at the point of death ; Keith, App. 134 ; and yet a deed is to be found in the public records, which bears that it was signed by the queen that day. Privy seal, lib. 35 fol. 89. *Ouchterlony*<sup>d</sup>.

<sup>d</sup> N. B. In some of the early editions of this Dissertation, another instance of the same nature with those which go be-

Bothwell seized the queen as she returned from  
ing, April 24th, 1567, and (according to  
own account) conducted her to Dunbar with  
iligence. And. i. 95. But our author, re-  
; on the dates of some papers which he found  
e records, supposes that Bothwell allowed  
o stop at Edinburgh, and to transact busi-  
there. Nothing can be more improbable  
this supposition. We may therefore rank  
date of the deed to *Wright*, Privy seal, lib.  
fol. 43. and which is mentioned by our au-  
, vol. i. 124. among the instances of the false  
s of papers which were issued in the ordi-  
course of business in that age. Our author  
mistaken the date of the other paper to  
es, *ibid.* it is signed April 14th, not April  
1.

there be any point agreed upon in Mary's  
ry, it is, that she remained at Dunbar from  
time that Bothwell carried her thither, till  
returned to Edinburgh along with him in the  
nning of May. Our author himself allows  
she resided twelve days there, vol. i. 367.  
though there are deeds in the records which  
that they were signed by the queen at Dun-  
during that time, yet there are others which  
that they were signed at Edinburgh; e. g.  
e is one at Edinburgh, April 27th. Privy seal,  
36. fol. 97. There are others said to be  
ed at Dunbar on that day. Lib. 32. Chart.  
und follow was mentioned; but that, as has since been  
vered, was founded on a mistake of the person employ-  
search the records, and is therefore omitted in this  
on. The reasoning, however, in the *Dissertation*,  
is still in force, notwithstanding this omission.

No. 524. 526. Ib. lib. 32. No. 154. 157 are some signed at Dunbar April 28th. at Edinburgh April 30th, lib. 32. Ch. 492. Others at Dunbar May 1st. Id. 158. These different charters suppose to have made so many unknown, improbable, inconsistent journeys, that they afford the best demonstration that the dates in these ought not to be depended on.

This becomes more evident from the charter said to be signed April 27th. happened that year to be a Sunday, which was not, at that time, a day of business in Scotland, as appears from the books of *sederunt*, told by the lords of Session.

From this short review of our author's account of the forgery of the letters to Bothwell, it is evident that his arguments are far from being "a demonstration".

\* The uncertainty of any conclusion formed from the date of public papers in that age, especially with respect to the king, is confirmed and illustrated by a discovery which was made lately. Mr Davidson (to whom I was indebted for much information when I composed this Dissertation thirty years ago) has, in the course of his intellectual searches into the antiquities of his country, found an old paper which must appear curious to Scottish readers. Buchanan asserts, that on account of the frequent absence, occasioned by his dissipation and love of sports, a *cachette*, or stamp cut in metal, was in use, in which his name was affixed to public deeds, as he had been present. Hist. lib. xvii. p. 343. Edit. Ruddiman. Illustrates the same thing, Hist. p. 393. How much more he had divested the king of the consequence which he had from having his name conjoined with that of the king in all public deeds, as the affixing of his name was now put entirely in the power of the person who had

Another argument against the genuineness of the letters is founded on the style and composition, which are said to be altogether unworthy of the queen, and unlike her real productions. They are plain, both from the great accuracy of composition in most of Mary's letters, and even from her solicitude to write them in a fair hand, that she valued herself on those accomplishments, and desirous of being esteemed an elegant writer. When she wrote at any time in a hurry, then the marks of inaccuracy appear. A remarkable instance of this may be found in a paper headed Good. ii. 301. Mary's letters to the duke well were written in the utmost hurry; and under all the disadvantages of a translation, are not destitute either of spirit or of energy. The manner in which she expresses her love to the duke well has been pronounced indecent and even shocking. But Mary's temper led her to warm expressions of her regard; those refinements of delicacy, which now appear in all the commerce between the sexes, were, in that age, but little known, even among persons of the highest rank. Among the earl of Hardwicke's papers, there is a series of letters from Mary to the Duke of

Albany, of the *cachette*, is manifest. The keeping of it, as both Buchanan and Knox affirm, was committed to Rizzio. A defender of queen Mary calls in question what they read and seems to consider it as one of their aspersions. See vol. i. p. 238. The truth of their assertion, however, is now fully established by the original deed which I mentioned. This I have seen and examined with attention. It is now lodged by Mr Davidson in the signet-box. In it, the subscription of the king's name has evidently been made by a *cachette* with printer's ink.

Norfolk, copied from the Harleian library b. 9. fol. 88. in which Mary declares her that nobleman in language which would reckoned extremely indelicate; Hard. St. pers, i. 189, &c.

Some of Mary's letters to Bothwell were written before the murder of her husband; & some after that event, and before her marriage to Bothwell. Those which are prior to the death of her husband abound with the expressions of her love to Bothwell, and something more than a suspicion that the marriage had been extremely criminal. Even in them, too, some dark expressions, which enemies employed to prove that she was a stranger to the schemes which were contrived against her husband's life. Of this kind are the following passages: "Alace! I never saw any body; but I remit me altogidder to your will. Send me advertisement quhat I shall do quhatsaever thing come thereof, I shall obey. Advise to with yourself, gif ze can find a better mair secret inventioun by medicine, for I tak medicine and the bath at Craig Good. ii. 22. "See not hir quhais fenze, for he suld not be sa meikle praisit and estemit, but trew and faithfull travellis quhilk I sustein to merit hir place. For obtaining of the same againis my natural, I betrayis thame thair impesche me. God forgive me," &c. I have "I have walkit later thairup, than I was done, gif it had not been to draw something of him, quhilk this berer will schaw zow, is the fairest commodity that can be of

se zour affairs." Ibid. 32. From the letter posterior to the death of her husband, it is evident that the scheme of Bothwell's seizing her by force, and carrying her along with her, was contrived in concert with herself, and her approbation.

That letters of so much importance as those of Mary to Bothwell should have been entirely lost, appears to many others unaccountable. After being produced in England before Elizabeth's commissioners, they were delivered by them to the Earl of Murray. Good. ii. 235. He is said to have kept them in his possession during life. At his death, they fell into the hands of Lennox his successor, who restored them to the Earl of Morton. Good. ii. 91. Though it be not necessarily connected with any of the queries which gave occasion to this Dissertation, it may perhaps satisfy the curiosity of some of my readers to inform them, that, after a very diligent search, which has lately been made, no copy of Mary's letters to Bothwell can be found in any of the public libraries in Great Britain. The certain intelligence concerning them, since the time when they were delivered to Morton, was communicated by the accurate Dr Birch.

A tract of the letters of Robert Bowes, Esq. ambassador from queen Elizabeth to the king of Scotland, written to Francis Walsingham, secretary of state, from the register book of Mr Bowe's letters, from 15th of August 1582, to 28th September 1583, in the possession of Thomas Hunter, M. D. of Durham.

1582, 8th November, from Edinburgh.

Beit I have been borne in hand, That the coffer where the originals of letters between the Scottish queen and the Earl of Bothwell, had been delivered to sundry persons, and thereby was at present wanting, and unknown where it rested, yet I have learned certainly by the prior uscardyne's means, that both the coffer and also the letters are come, and now remain with the Earl of Gowrie,

I perceive, will be hardly intreated to make delivery of her majesty according to her majesty's desire.

*His time past I have expended in searching where the*

With respect to the sonnets, Sir David Dalple has proved clearly, that they must have coffer and writings were, wherein, without the help prior, I should have found great difficulty ; now I will Gowrie, and of my success you shall be shortly adve

12th of November 1582, from Edinbur

Because I had both learned, that the casket and I mentioned in my last, before these were come to the session of the Earl of Gowrie, and also found that no might prevail to win the same out of his hands without his own consent and privity ; in which behalf I had employed instruments, that nevertheless profited nothing ; before I attempted to essay himself, letting him know the said casket and letters should have been brought to her majesty by the offer and good means of good friends promising to have delivered them to her majesty before they came into his hands and custody, and knowing that I bear the like affection, and was ready to pleasure her majesty in all things, and chiefly in this that had been far tendered to her majesty, and which thereby should be well accepted and with princely thanks and gratuity I quitted to his comfort and contentment ; I moved him that they might be a present to be sent to her majesty from him, and that I might cause the same to be conveyed to her majesty, adding hereunto such words and arguments as might both stir up a hope of liberality, and also best effect my purpose. At the first he was loth to agree that they were in his possession ; but I let him plainly know that I had certainly informed that they were delivered to him by Sanders Jardin : whereupon he pressed to know whether I would so inform me, inquiring whether the sons of the Earl of Morton had done it, or no. I did not otherwise in terms deny or answer thereunto, but that he might know that he had told me, as the prior is ready to avouch, that I was well pleased that I shall give him to be the author thereof after he had said [though] all these letters were in his keeping (which he would neither grant nor deny) yet I might not deliver them to any person without the consent and privities, as well of the king, that had interest therein, as also of the rest of the noblemen enterprisers of this rebellion against the king's mother, and that would have

after the murder of the king, and prior  
s marriage with Bothwell. But as hardly

evidence to warrant and make good that action  
I replied, that their action in that part touching  
ation of the crown to the king by his mother,  
ed such establishment, confirmation, and strength,  
parliament and other public authority and instru-  
neither should that case be suffered to come in  
question, nor such scrolls and papers ought to  
l for the strengthening thereof, so as these might  
ft and be rendered to the hands of her majesty,  
they were destined before they fell in his keep-  
he would not be removed or satisfied; concid-  
much reasonings, that the Earl of Morton, nor  
that had the charge and keeping thereof, durst  
ne make delivery; and because it was the first  
I had moved him therein, and that he would glad-  
swer her majesty's good expectation in him, and  
rm his duty due to his sovereign and associates in  
aforesaid; therefore he would seek out the said  
d letters, at his return to his house, which he  
ould be within a short time; and upon finding  
me, and better advice and consideration had of  
, he would give further answer. This resolution  
ceived as to the thing; and for the present I could  
, leaving him to give her majesty such testimony  
od will towards her, by his frank dealing herein,  
y have cause to confirm her highnesses good opi-  
ceived already of him, and be thereby drawn to  
oodness towards him. I shall still labour him  
nyself and also by all other means; but I greatly  
he desired success herein.

24th of November 1582, from Edinburgh.  
e recovery of the letters in the coffer, come to the  
the Earl of Gowrie, I have lately moved him ear-  
erein, letting him know the purpose of the Scot-  
n, both giving out that the letters are counterfeited  
bels, and also seeking thereon to have them deli-  
her or defaced, and that the means which she  
e in this behalf shall be so great and effectual, ~~and~~  
III.



any part of my narrative is founded upon is contained in the sonnets, and as in this dissertation I have been constrained to dwell

these writings cannot be safely kept in that realm dangerous offence of him that hath the custody neither shall he that is once known to have them be ed to hold them in his hands. Herewith I have opened the perils likely to fall to that action, and ties therein, and particularly to himself that is now known to have the possession of these writings, and lettin him see what surety it shall bring to the said and all the parties therein, and to himself, that the ings may be with secrecy and good order committed keeping of her majesty, that will have them read; soever any use shall be for them, and by her high countenance defend them and the parties from such ful objections as shall be laid against them, off length to him, that if he be not fully satisfied he doubt that the rest of the associates shall not like delivery of them to her majesty in this good manner for the interest rehearsed, that I shall readily, upon ing and conference with them, procure their assent part (a matter more easy to offer than to perform lastly, moving him that (for the secrecy and benefit cause, and that her majesty's good opinion towards self may be firmly settled and confirmed by his forwardness herein) he would, without needless frankly commit these writings to her majesty's custody for the good uses received. After long debate solved, and said, that he would unfeignedly shew do to her majesty all the pleasure that he might wit fence to the king his sovereign, and prejudice to the associates in the action, and therefore he would first search and view the said letters, and herein take what he might do, and how far he might satisfy content her majesty; promising thereon to give resolute answer; and he concluded flatly, that he had found and seen the writings, that he not make delivery of them without the privy of t  
 • *Albeit I stood long with him against his resolution point, to acquaint the king with this matter before*

minute and verbal criticisms, than may be  
 ng or agreeable to many of my readers;  
 rest satisfied with referring for informa-  
 cerning every particular relative to the

in the hands of her majesty, letting him see that  
 there should admit great danger to the cause;  
 ld not remove him from it. It may be that he  
 to put over the matter from himself to the king,  
 t whereof I shall travel effectually to obtain the  
 sent, that the letters may be committed to her  
 keeping, thinking it more easy to prevail herein  
 king, in the present love and affection that he  
 her highness, than to win any thing at the hands  
 ociates in the action, whereof some principal of  
 come and remain at the devotion of the king's  
 in this I shall still call on Gowrie, to search out  
 , according to his promise; and as I shall find  
 ed to do therein, so shall I do my best and whole  
 to effect the success to her majesty's best con-

2d December 1582, from Edinburgh.

e I saw a good opportunity offered to renew the  
 the Earl of Gowrie for recovery of the letters in  
 in his hands, therefore I put him in mind there-  
 upon he told me, that the Duke of Lennox had  
 nestly to have had those letters, and that the king  
 where they were, so as they could not be delivered  
 jesty without the king's privity and consent, and  
 ded to be still willing to pleasure her majesty in  
 so far as he may with his duty to the king and  
 t of the associates in that action; but I greatly  
 effect this to her majesty's pleasure, wherein,  
 ss, I shall do my utmost endeavours.  
 er James VI. who put the Earl of Gowrie to death,  
 34, and seized all his effects, took care to destroy  
 r's letters, for whose honour he was at that time  
 zealous; whether they have perished by some  
 accident; or whether they may not still remain  
 d among the archives of some of our great familie  
 impossible to determine.

sonnets, to *Remarks on the History of Scotland* Chap. XI.

Having thus stated the proof on both sides; having examined at so great a length the different systems with regard to the facts in controversy; it may be expected that I should now pronounce sentence. In my opinion, there are only two conclusions, which can be drawn from the facts which have been enumerated.

One, that Bothwell, prompted by his ambition or love, encouraged by the queen's known aversion to her husband, and presuming on her attachment to himself, struck the blow without having concerted with her the manner or circumstances of perpetrating that crime: That Mary, instead of testifying much indignation at the deed, or discovering any resentment against Bothwell, who was accused of having committed it, continued to load him with marks of her regard, conducted his trial in such a manner as rendered it impossible to discover his guilt, and soon after, in opposition to all the maxims of decency or of prudence, voluntarily agreed to a marriage with him, which every consideration should have induced her to detest. By this verdict, Mary is not pronounced guilty of having contrived the murder of her husband, or even of having previously given her consent to his death; but she is not acquitted of having discovered her approbation of the deed, by her behaviour towards him who was the author of it.

The other conclusion is that which Mary and his adherents laboured to establish, "That James sometymme Earl of Bothwile, was the

chiefe executor of the horribill and unworthy murder, perpetrat in the person of umquhile king Henry of gude memory, fader to our severaine lord, and the queenis lauchfull husband; sa was she of the foreknowledge, counsell, devise, perswadar and command of the said murder to be done." Good. ii. 207.

Which of these conclusions is most agreeable to the evidence that has been produced, I leave my readers to determine.



## APPENDIX.

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No. I. (Vol. I. p. 207.)

**A MEMORIAL** of certain points meet for restoring the realm of SCOTLAND to the antient weale.

[6th August 1559. Cotton. Lib. Cal. B. x. fol. 17. From a copy in secretary Cecil's hand.]

**I**NFORMING, it is to be noted, that the best worldly felicity that Scotland can have, is either to continue in a perpetual peace with the kingdom of England, or to be made one monarchy with England, as they both make but one island, divided from the rest of the world.

If the first is sought, that is, to be in perpetual peace with England, then must it necessarily be provided, that Scotland be not so subject to the appointments of France as is presently, which being an antient enemy to England, seeketh always to make Scotland an instrument, to exercise, thereby, their malice upon England, and to make a footstool thereof to look over England as they may.

Therefore, when Scotland shall come into the hands of a mere Scottish man in blood, then may there be hope of such accord; but as long as it is at the commandment of the French, there is no hope to have accord long betwixt these two realms.

Therefore seeing it is at the French king's commandment by reason of his wife, it is to be considered for the weale of Scotland, that until she have children, and during her absence out of the realm, the next heirs to the crown, being the house of the Hamiltons, should have regard hereto, and to see that neither the crown be imposed nor wasted; and, on the other side, the nobility and common-

alty ought to force that the laws and the old custom realm be not altered, neither that the country be impoverished by taxes, emprest, or new imposts, as manner of France; for provision wherein, both by of God and man, the French king and his wife moved to reform their misgovernance of the land.

And for this purpose it were good that the nobles and commons joined with the next heir of the crown, due reformation of such great abuses as tend to the their country, which must be done before the French too strong and insolent.

First, That it may be provided by consent of the estates of the land, that the land may be free from slavery like as England is; for justification whereof, free general council may be had where the pope doth have not the seat of judgment; they may offer to their cause to be the most agreeable to Christ's religion.

Next, to provide that Scotland might be governed by all rules and offices, by the ancient blood of the without either captains, lieutenants, or soldiers, as all princes govern their countries, and especially that they might be in the hands of mere Scottish men.

Thirdly, That they might never be occasioned to go into wars against England, except England should be the first cause to Scotland.

Fourthly, That no nobleman of Scotland should receive pension of France, except it were whilst he did sojourn in France, for otherwise thereby the French would corrupt many to betray their own country.

Fifthly, That no office, abbey, living, or commodity should be given to any but mere Scottish men, by the assent of the three estates of the realm.

Sixthly, That there be a council in Scotland appointed during the queen's absence, to govern the whole realm, as in those cases not to be directed by the French.

Seventhly, That it be by the said three estates appointed how the queen's revenue of the realm shall be expended, how much the queen shall have for her portion and during her absence, how much shall be limited to the maintenance and defence of the realm, how much yearly should be kept in treasure.

*In these, and such like points, if the French king*

the queen be found unwilling, and will withstand these provisions for the weale of the land, then hath the three estates of the realm authority, forthwith to intimate to the said king and queen their humble requests; and if the same be not effectually granted, then humbly they may commit the governance thereof to the next heir of the crown, binding the same also to observe the laws and ancient rights of the realm.

Finally, If the queen shall be unwilling to this, as it is likely she will, in respect of the greedy and tyrannous affection of France, then it is apparent that Almighty God is pleased to transfer from her the rule of the kingdom for the weale of it, and this time must be used with great circumspection, to avoid the decepts and tromperies of the French.

And then may the realm of Scotland consider, being once made free, what means may be devised by God's goodness, to accord the two realms, to endure for time to come at the pleasure of Almighty God, in whose hands the hearts of all princes be.

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## No. II. (Vol. I. p. 216.)

### A Letter of Maitland of Lethington's, thus directed :

To my loving friend James. Be this delivered at London.  
[20th January 1559-60. Cott. Lib. Cal. B. ix. From the original in his own hand.]

I UNDERSTAND by the last letter I received from yow, that discoursing with your countrymen upon the matter of Scotland, and commoditeys may ensew to that realm hereafter, giff ze presently assist us with your forces, ze find a nombre of the contrary advise, doubting that we sal not at length be found trusty friends, nor mean to contynue in constant ametye, albeit we promise, but only for avoyding the present danger make you to serve our turne, and after being delivered, become enemies as of before. For profe quhareof, they alledge things that have past betwixt us heretofore, and a few presumptiones tending,



the same end, all grounded upon mistrust; quhilks, at the first sight, have some shewe of appearance, gif men we not the circumstances of the matter; but gif they will confer the tyme past with the present, consider the nature of this caus, and estate of our contrye, I doubt not but judgment sal be able to banish mistrust. And first, I wish ze should examyne the causes off the old inimyte betwixt the realms of England and Scotland, and quhich moved our ancestors to enter into ligue with the Frenche quhilks by our storeys and registres off antiquiteys apper to be these. The princes of England, some tyme, alledging a certain kynde of soveraintye over this realm; some tyme upon hye courage, or incited by incursion off our bordererres, and semblable occasion, mony times enterprise the conquest of ws, and sa far furth priest it by force of armes, that we were dryven to great extramiteys, by los of our princes, our noblemen, and a good part of our curtrei, say that experience taught ws that our owne strengt was scarce sufficient to withstand the force of England. The French zour auncient enemies, considering well how nature had sa placed ws in a island with zow, that na nation was able sa to annoye England as we being enemyes sought to joine ws to theym in ligue, tending by that mean to detourne zour armyes from the invasion of France, and occupy zow in the defence of zour country at hame, offering for that effect to bestowe some charges upon ws, and for compassing off theyr purpos, choysed a tyme to propon the matter, quhen the fresche memory of injuris lately received at zour hand, was sa deeply prented on our hartes that all our myndes were occupied how to be revenged and arme ourselves with the powar of a forayne prince against zour enterprises thereafter.

This was the beginning off our confederacy with France. At quhilk time, our chronicles maks mention, that some off the wysest foresaw the perill, and small frute shoulde redound to us thereof at length: zit had affection sa blinded judgment, that the advise of the maist part overcame the best. The maist part of all quarrels betwixt ws since that tyme, at least quhen the provocation came on our sides ever fallen out by theyr procurement rather than ane cause of our selves: and quhensaver we brack th

peace, it come partly by their intymements, partly to eschew the conquest intended by that realm. But now hes God's Providence sa altered the case, zen changed it to the plat contrary, that now hes the Frensche taken zour place, and we, off very judgment, becum desirous to have zou in theyr rowme. Our eyes are opened, we espy how uncareful they have been of our weile at all times, how they made ws ever to serve theyr turne, drew us in maist dangerous weys for theyre commodite, and nevertheless wad not styck, off tymes, against the natour of the ligue, to contrak peace, leaving us in weyr. We sac that their support, off late zeres, wes not grantit for any affection they bare to ws, for pytie they had off our estate, for recompense of the lyke friendship scawin to them in time off theyr afflictiones, but for ambition, and insaciabie cupiditie to reygne, and to mak Scotland ane accessary to the crown of France. This was na friendly office, but mercenary, craving hyre farre exceeding the proportion of theyr deserving; a hale realm for the defence of a part. We see theym manifestly attempt the thing we suspected off zow; we feared ze ment the conquest of Scotland, and they are planely fallen to that work; we hated zow for doubt we had ze ment evill towards ws, and sall we love theym, quhilks bearing the name off friends, go about to bring ws in maist vile servitude? Gif by zour friendly support at this tyme, ze sall declare that not only seek ze not the ruyne of our country, but will preserve the libertie thereof from conquest by strangers, sall not the occasion of all inimite with zow, and ligue with theym, be taken away? The causes being removed, how sall the effectes remane? The fear of conquest made us to hate zou and love theym, the cais changed, quhen we see theym planely attempt conquest, and zou schaw ws friendship, sall we not hate theym, and favour zow? Gif we have schawne so great constance, continuing za mony zeres in amity with theym, off quhome we had sa small commodite, quhat sall move us to break with zow, that off all nations may do ws greatest plesour?

But ze will say, this matter may be reconcyed and then frends as off before. I think weill peace is the end of all weyr, but of this ze may be assured, we will never sa far trust that reconciliation, that we will be content to forgo

the ametye of England, nor do any thing may bring ws in suspicion with zow. Giff we wold at any tyme to please theym, break with zow, should we not, besydes the losse of estimation and discrediting off ourselves, perpetually expose our common weill to a maist manifest danger, and becum a prey to theyr tyranny? Quhais aid could we implore, being destitute of zour friendship, gif they off new wald attempt theyr former enterprise? Quhat nation myght help we giff they wald, or wald gif they myght? And it is lyke eneuch, they will not stick hereafter to tak theyr tyme off ws, quhen displesour and grudge hes taken depe rute on baith sydes, seeing ambition has so impyrit ower theyr reason, that before we had ever done any thing myght offend theym, but by the contrary pleased them by right and wrang, they did not stick to attempte the subversion of our hale state. I wald ze should not esteeme ws sa barayne of jugement, that we cannot foresee our awne perril; or sa foolische, that we will not study by all gode means to entertayne that thing may be our safetie; quhilk consists in all the relaying of zour friendships. I pray zou consider in like case, when, in the days of zour princes off maist noble memory king Henry the VIII. and king Edward the VI. meanes were opened off amytie betwixt baith realms; was not at all times the difference of religion the onely stay they were not embraced? Did not the craft of our clergy and power of theyr adherents subvert the devises of the better sort? But now has God off his mercy removed that block furth off the way; now is not theyr practice lyke to tak place any mare, when we are comme to a conformity of doctrine, and profes the same religion with zow, quhilk I take to be the straytest knot of amytie can be devised. Giff it may be alledged that some of our countrymen, at any tyme, violated their promise? giff ze liff to way the circumstances, ze sall find the promise is rather brought on by necessitie, after a great overthrow off our men, then comme off fre will, and tending ever to our great incomodite and decay off our hail state, at leist sa taken. But in this case, sall the preservation off our libertie be inseparably joined with the keeping off promesse, and the violation off our fayth cast ws in maist miserable servitude. So that giff neyther the fear off God

reverence of man, religion, othe, promise, nor worldly honestye was sufficient to bynd ws, yet sall the zeale of our native countrey, the maintenance of our own estate, the safety of our wyffes and childrene from slavery compell ws to kepe promise. I am assured, it is trewly and sincerely ment on our part to continew in perpetual ametye with zow; it sall be uttered by our proceedings. Giff ze be as desyrous of it as we ar, assurances may be devysed, quharby all parteys will be out of doubt. There be gode meanes to do it, fit instruments for the purpose, tyme serves weill, the inhabitants of baith realms wish it, God hes wrought in the people's hartes on bayth parties a certaine still agreement upon it, never did, at any tyme, so many things concurre at ones to knyt it up, the disposition of a few, quhais harts are in Godis hands, may mak up the hale. I hope he quha hes begun his work, and mainteyned it quhile now, by the expectation of man, sall perfyte it.

I pray zow, let not zour men dryve tyme in consultation, quhether ze sall support ws or no. Seyng the mater speaketh for itself, that ze mon take upon zow the defence of our caus, giff ze have any respect for zour awne weill. Their preparatives in France, and levying of men in Germany, (quheyroff I am lately advertiscd.) ar not altogildr ordeyned for us, ze are the mark they shote at; they seke our realme, but for ane entrey to zours. Giff they should directly schaw hostilitie to zow, they know zo wald mak redy for theym, therefor they do, by indirect meanes, to blind zow, the thing they dare not as zit planely attempte. They seme to invade us to th' end, that having assembled theyr hale forces sa nere zour bordours, they may unlök it to attack zow: It is ane of their ald fetches, making a schew to one place, to lyght on ane other. Remember how covertly zour places about Boulougne were assaizeit, and carried away, ze being in peace as now. How the enterprise of Calais was fynely dissembled, I think ze have not sa sone forgotten. Beware of the third, prevent theyr policy by prudence. Giff ze se not the lyke disposition presently in theym, ze se nathing. It is a grosse ignorance to misknaw, what all nations planely speks of. Tak heed ze zay not hereafter, "Had I wist;" ane uncomely sentence to procede off a wyse man's mouth. That is onwares

dobte but they sall fynd ws enemyes in earnest, thagently bes demeyned our countrey, and at quhai we can look for nathing but all extremitye, giff ev may get the upper hand. Let not this occasion, pely offered, escape zow : giff ze do, neglecting the opportunitie, and hoping to have ever gode luk, sleaping upon zow, it is to be feared zour enemy so great and sa strang. that afterwards quhen ze w sall not be able to put him down ; and then, to zow after the time ze will acknowledge zour error. I felt, by experience, quhat harme cometh of oversig trusting to zour enemyes promesse. We offer zow casion, quheyrby zour former losses may be re Quhilk giff ze let over slyde, suffering us to be o quha then, I pray zow, sall stay the Frensche, th sall not invade zow in zowr own boundes, sick it lust to reygne, that they can neither be content wit fortune present, nor rest and be satisfied when th gode luck, but will still follow on, having in they brayne conceived the image of so great a conquest think ye sall be the end ? Is ther any of sa small ment, that he doth not foresee already, that they h sall then be bent against zow ?

It sall not be amiss, to consider in quhat case the F be presently. Theyr estate is not always sa calm e as every man thinketh. And trewly it wes not the redines for weyr made them to tak this matter on t this tyme, but rather a vayne trust in their awne thinking to have found na resistance, their opinion ceaved theym, and that makes theym now amased estates off the empire (as I heare) has suted restitu th imperial towns Metz, Toull, and Verdun, quhi

grow to some besynes; and all things is not a calm within their awne countrey, the less fit they be presently for weyr, the mare opportune esteeme ye the time for zow. Giff the lyke occasion were offered to the Frensche against zow, wey, how gladly would they embrace it. Are ze not eschamed of zour sleuth, to spare theym that has already compassed zour destruction, giff theym were able? Consider with zour self quhilks is to be choysed? To weyr against them out with zour realm or within? Giff quhill ze sleape, we sal be overthrowne, then sal they not fayle to sute zow in zour awne country, and use ws as a fote stole to overlake zow. But some will say, perhaps, they meane it not. It is foly to think they wald not giff they war able, quhen before hand they stick not to giff zour armes, and usurpe the style of zour crown. Then quhat difference there is to camp within zour awne bounds or without, it is manifest. Giff twa armyes should camp within zowr country, but a moneth; albeit ye receaved na other harme, zit should zour losse be greater, nor all the charges ze will nede to bestow on our support will draw to, besydes the dishonour.

Let not men, that eyther lack gode advice, or ar not for particular respects well affected to the caus, move zow to subtract zour helping hand, by alleging things not apparent, for that they be possible. It is not, I grant, impossible that we may receive conditiones of peace; but I see little likelihood that our ennemyes will offer ws sik as will remove all mistrust, and giff we wald have accepted others, the mater had bene lang or now compounded. Let zow not be moved for that they terme ws rebelles, and diffames our just querele with the name of conspiracy against our soverayne. It is hir hyenes right we manetayne. It is the liberty of hir realm we study to preserve with the hazard of our lyves. We are not (God knoweth) comme to this poynt for wantones, as men impatient for rewell, or willing to shake off the zoke of government, but ar drawne to it by necessite, to avoyde the tyranny of strangeares, seeking to defraude ws of lawful government. Giff we should suffer strangeares to plant themselves peaceably in all the strenthes of our realme, fortify the seyportes, and maist important places, as anc entre to a plain conquest, now in the minority of our *soverane*, beyng furth of the realme, should we

not be thought oncareful off the common weill, bet of our native countrey, and evil subjects to hir m Quhat other opinion could sche have off ws? Mi not justly hereafter call ws to account, as negligisteres? Gif strangeares should be thus suffered to the chiefe offices, beare the hail rewill, alter and perlawes and liberty at theyr plesour; myght not the esteem our noblemen unworthy the place of couns We mean na wyse to subtrak our obedience from verane, to defraud hir hyenes off her dew reverenc and revenues off hir crown. We seke nothing b Scotland may remane, as of before, a free realme by hir hyenes and hir ministeres borne men of the and that the succession of the crown may remane a lawful blode.

I wald not ze sould not sa lyttill esteme the friend Scotland, that ze judged it not worthy to be embraced, shall be na small commodite for zow to be delivered annoyance of so neir a nyghthour, quhais inimit more trouble zow, then of any other nation albeit t puissant, not lyeng dry marche with zow. Besyd ze sall not nede to feare the invasion off any prince the commodite to invade zow by land on our land sider quhat superfluous charge ze bestowe on the f tion and keeping of Barwick: quhilke ze may red meane sowme, having ws to frendes. The realme land being of natour a gode and fertill countrey, by off the continewall unquietnes and lak of policey, to be rather a burthen unto zow than great advantag gill it were peaceable may be very commodious. cification quhayroff, it is not unknowne to zow qu vice we are abill to do. Refuse not theyr commodit sides money ma quhen they are offered. Quhilks study not to amplify and dilate, yet is na other able to offer zow the lyke, and are the rather to be ed, for that zour ancestors, by all meanes, maist auted our amity, and yet it was not theyr hap to it. The mater hes almaist carryed me beyond the of a lattre, quharfor I will leave to trouble zow after given you this note. I wald wiss that ze, and they lturned, sould rede the twa former orations of Demo

alled Olynthiacæ, and consyder quhat counsaill that wyse ratour gave to the Athenians, his countrymen, in a lyke case; quhilk hes so great affinite with this cause of ours, hat every word thereof myght be applyed to our purpos. There may ze learn of him quhat advise is to be followed, when zour nyghtbours hous is on fyre. Thus I bid zow heartily fareweill. From Sant Andrew's, the 20th of January 1559.

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No. III. (Vol. I. p. 224.)

Part of a letter from Tho. Randolph to Sir William Cecil, from the camp before Leith, 59th of April 1560.

[An Original in the Paper Office.]

I WILL only, for this time, discharge myself of my promise to the earl of Huntly, who so desyreth to be recommended to you, as one, who, with all his heart, favoureth this cause, to the uttermost of his power. Half the words that come out of his mouth were able to persuaide an unexperienced man to speak farther in his behalf, than I dare be bold to write. I leave it to your honour to judge of him, as of a man not unknown to you, and will myself always measure my thoughts, as he shall deserve to be spoken of. With much difficulty, and great persuasion, he hath subscribed with the rest of the lords to join with them in this action: whatsoever he can invent to the furtherance of this cause, he hath promised to do with solemn protestation and many words; he trusteth to adjoin many to this cause; and saith surely that no man shall lie were he taketh part. He hath this day subscribed a bond between England and his nation: he saith, that there was never any thing that liked him better.



## No. IV. (Vol. I. p. 237.)

Randolph to Cecil, 10th August 1560. 1  
Edinburgh.

[An Original in the Paper Office.]

SINCE the 29th of July, at what time I wrote I  
your honour, I have heard of nothing worth the repo  
At this present it may please you to know, that the  
part of the nobles are here arrived, as your honour  
receive their names in writing. The earl of Hunt  
cuseth himself by an infirmity in his leg. His lieu  
for this time is the lord of Lidington, chosen speal  
the parliament, or harangue-maker as these men tel  
The first day of their sitting in parliament will l  
Thursday next. Hitherto as many as have been pr  
of the lords have communed and devised of certain  
then to be propounded, as, who shall be sent into Fr  
who into England. It is much easier to find them  
the other. It seemeth almost to be resolved upon th  
England the master of Maxwell, and laird of Lidin  
For France Pittarrow and the justice clerk. Also  
have consulted whom they think meetest to name fo  
XXIV. of the which the XII. counsellors must be ch  
They intend very shortly to send away Dingwall th  
rald into France, with the names of those they shall cl  
and also to require the king and qucen's consent unt  
parliament. They have devised how to have the co  
with England confirmed by authority of parliament;  
also to have the articles of agreement between then  
their king and queen ratified. These things yet have  
been had in communication. For the confirmation o  
contract with England I have no doubt; for that I  
many men very much like the same, as the earl of A  
the earl of Sutherland, the l. Glamis, who dined yest  
with l. James. The lord James requested me this pr  
day to bring the contract unto him. I intend, also  
day, to speak unto the l. Gray, in our l. Gray's nam  
that he promised in my hearing to subscribe, and  
presently would have done it if the contract could

seen had. For the more assurance against all inconveni-  
 ents, I would, besides that, that I trust it shall be ratified  
 in parliament, that every nobleman in Scotland had put  
 his hand and set his seal, which may always remain as a  
 notable monument, tho' the act of parliament be hereafter  
 disannulled. If it might, therefore, stand with your ad-  
 vice, that the lords might be written unto, now that they  
 are here present, to that effect, or that I might receive  
 from your hon<sup>r</sup>, some earnest charge to travel herein, I  
 doubt not but it would serve to good purpose. If it might  
 also be known with what substantial and effectious words  
 or charge you desire to have it confirmed, I think no great  
 difficulty would be made. The earl marshal has often  
 been moved to subscribe, he useth no delays than men  
 judged he would. His son told me yesterday, that he  
 would speak with me at leisure, so did also Drumlanrick;  
 I know not to what purpose: I have caused l. James to be  
 the earnestest with the l. Marshal, for his authority's sake,  
 when of late it was in consultation by what means it might  
 be wrought, that the amity between these two realms might  
 be perpetual; and among diverse men's opinion, one said  
 that he knew of no other, but by making them both one,  
 and that in hope of that no things were done, than would  
 otherwise have ever been granted; the earl of Argyll ad-  
 vised him earnestly to stick unto that, that he had pro-  
 mised, that it should pass his power and all the crafty  
 knaves of his counsel, (I am bold to use unto your h. your  
 own words,) to break so godly a purpose. This talk liked  
 well the assisters, howsoever it pleased him to whom it  
 was spoken unto. The barons, who in time past have  
 been of the parliament, had yesterday a-convention among  
 themselves in the church, in very honest and quiet sort;  
 they thought it good to require to be restored unto their  
 ancient liberty, to have voice in parliament. They pre-  
 sented that day a bill unto the lords to that effect, a copy  
 whereof shall be sent as soon as it can be had. It was  
 answered unto gently, and taken in good part. It was re-  
 turned unto the lords of the articles, when they are chosen,  
 to resolve thereupon.—*Here follows a long paragraph  
 concerning the fortifications of Dunbar, &c.*—This pre-  
 sent morning, viz. the 9th, I understood, that the lords in-

tended to be at the parliament, which caused me some what to stay my letter, to see what I could hear or learn worth the reporting unto your hon<sup>r</sup>. The lords, at ten o the clock, assembled themselves at the palace, where the duke lieth; from whence they departed towards the Tol booth, as they were in dignity. Each one being set in his seat, in such order as your h. shall receive them in the scroll. The crown, the mace, the sword, were laid in the queen's seat. Silence being commanded, the l. of Liding ton began his oration. He excused his insufficiency to occupy that place. He made a brief discourse of things past, and of what necessity men were forced unto for the defence of their country, what remedy and support it pleased God to send them in the time of their necessity, how much they were bound heartily to acknowledge it, and to requite it. He took away the persuasion that was in many men's mind that lay back, that misdeemed other things to be meant than was attempted. He advised all estates to lay all particulars apart, and to bend themselves wholly to the true service of God and of their country. He willed them to remember in what state it had been of long time for lack of government, and exercise of justice. In the end, he exhorted them to mutual amity and hearty friendship, and to live with one another as members all of one body.—He prayed God long to maintain this peace and amity with all princes, especially betwixt the realms of England and Scotland, in the fear of God, and so ended. The clerk of register immediately stood up, and asked them to what matter they would proceed: it was thought necessary, that the articles of the peace should be confirmed with the common consent, for that it was thought necessary to send them away with speed into France, and to receive the ratification of them as soon as might be. The articles being read, were immediately agreed unto: a day was appointed to have certain of the nobles subscribe unto them, and to put their seals, to be sent away by a herald who shall also bring the ratification again with him. The barons, of whom I have above written, required an answer to their request; somewhat was said, unto the contrary. The barons alledged for them custom and authority. And in the end resolved, that there should be chosen six

the lords of the articles, and that if they, after  
ment should find it right and necessary for the  
alth, it should be ratified at this parliament for  
law. The lords proceeded immediately here-  
chusing of the lords of the articles. The or-  
the lords spiritual chuse the temporal, and the  
e spiritual, and the burgesses their own. There  
as in this other paper I have written. This  
the lords departed and accompanied the duke,  
s the Bow, (which is the gate going out of the  
) and many down into the palace where he lieth.  
all in armour, the trumpets sounding, and other  
as they have. Thus much I report unto your  
hat I did both hear and see. Other solemnities  
een used, saving in times long past the lords  
parliament robes, which are now with them  
of use.

ies of as many earls and lords spiritual and  
is are assembled at this parliament.

The duke of Chatelherault.

<i>Lords.</i>	<i>Lords spiritual.</i>
Erskine.	St. Andrew's.
Ruthven.	Dunkell.
Lindsey.	Athens.
Somerville.	The bishop of the Isles.
Cathcart.	Abbots and Priors I know
Hume.	not how many.
Livingston.	
Invermeth.	
Boyd.	
Ogilvy.	
Fleming.	
Glamis.	
Gray.	
Ochiltree.	
Gordon.	

## The Lords of the Articles.

<i>Spiritual.</i>	<i>Temporal.</i>	<i>Barons elected to be of the Articles.</i>
Athens.	The Duke.	Maxwell.
Isles.	Argyll.	Tillibardine.
Lord James.	Marshall.	Cunninghamhead.
Arbroath.	Athole.	Lochenvar.
Newbottle.	Morton.	Pittarrow.
Lindoris.	Glencairn.	Lundy.
Cowpar.	Ruthven.	Ten Provosts of the
Kinross.	Erskine.	chief towns, which
Kilwinning.	Boyd.	also are of the Ar
	Lindsay.	ticles.

So that with the Subprior of St. Andrews, the whole is 36.

It were too long for me to rehearse particularly the disposition, and chiefly the affections of these men, that are at this time chosen lords of the articles. May it satisfy your honour for this time to know that, by the common opinion of men, there was not a substantialler or more sufficient number of all sorts of men chosen in Scotland these many years, nor of whom men had greater hope of good to ensue. This present morning, viz. the 10th, the Lord Lidington made me privy unto your letter; he intendeth as much as may be, to follow your advice. Some hard points there are. He himself is determined not to go into France. He allegeth many reasons, but speaketh least of that, that moveth him most, which is the example of the last, that went on a more grateful message than he should carry, and stood on other terms with their prince than he doth, and yet your honour knoweth what the whole world judgeth.

Petition of the Lesser Barons to the Parliament  
held Aug. 1560.

[Inclosed in Randolph's letter to Cecil, 15th Aug. 1560]

My lords, unto your lordships, humbly means and shew we the barons and freeholders of this realm, your brethren in Christ, That whereas the causes of true religion, as

mon well of this realm, are, in this present parliament, be treated, ordered, and established, to the glory of God, and maintenance of the common-wealth; and we being the greatest number in proportion, where the said causes concern, and has been, and yet are ready to bear the greatest part of the charges thereunto, as well in peace as in war, with our bodies and with our goods; and seeing there is no place where we may do better service now than in general councils and parliaments, in giving our best advice and reason, vote and counsell for the furtherance thereof, for the maintenance of virtue and punishment of vice, as we and custom had been of old by ancient acts of parliament observed in this realm; and whereby we understand that we ought to be heard to reason and vote in all causes concerning the commonwealth, as well in councils as in parliaments; otherwise we think that whatsoever ordinances and statutes be made concerning us and our estate, we not being required and suffered to reason and vote at the making thereof, that the same should not oblige us to stand by it. Therefore it will please your lordships to take consideration thereof, and of the charge born, and to be borne by us, since we are willing to serve truly to the common well of this realm, after our estate, that ye will, in this present parliament, and all counsells, where the common well of the realm is to be treated, take our advice, counsel, and vote, so that, without the same, your lordships would suffer nothing to be passed and concluded in parliament or councils aforesaid; and that all acts of parliament made, in times past, concerning us for our place and estate, and in our favour, be at this present parliament confirmed, approved, and ratified, and act of parliament made thereupon. And your lordships answer humbly beseeches.

*Of the success of this petition, the following account is given by Randolph; Lett. to Cecil, 19 Aug. 1560. The matters concluded and past by common consent on Saturday last, in such solemn sort as the first day that they assembled, are these; First, that the barons according to an old act of parliament, made in the time of James I. in the year of God 1427, shall have free voice in parliament. This act passed without any contradiction.*

No. V. Vol. I. p. 247.)

A letter of Thomas Randolph, the English  
agent, to the right worshipful Sir William  
Kent, principal secretary to the queen's majesty

[9 Aug. 1561. Cott. Lib. B. 10 fo. 32.]

I HAVE received your honour's letters of the first  
month, written at Osney in Essex; and also a letter  
from lord James, from his kineman St. Come out of France.  
This they agree both that the queen of Scotland is  
changed of her purpose in home coming. I assure  
your honour that will be a stout adventure for a sick cr  
man, that may be doubted as well what may happen  
her upon the seas, as also how heartily she may be  
ed when she cometh to land of a great number,  
utterly persuaded that she intendeth their utter ruin  
when she will; the preparation is very small wh  
that she arrive, scarcely any man can be persuaded  
she hath any such thought in her head. I have  
your honour's letters unto the lord James, lord  
Lidington; they wish, as your honour doth,  
might be stayed yet for a space, and if it were not  
obedience sake, some of them care not tho' they n  
her face. They travel what they can to prevent t  
ed devices of these mischievous purposes of her m  
but I fear that that will always be found that *filij*  
*cull*, they do what they can to stand with the relig  
to maintain amity with their neighbours; they h  
need to look unto themselves, for their hazard is gr  
that they see there is no remedy nor safety for the  
but to repose themselves upon the queen's majesty  
vereign's favour and support. Friends abroad th  
none, nor many in whom the may trust at home.  
are in mind shortly to try what they may be assu  
the queen's majesty, and what they may assure  
form of that they intend to offer for their partie  
the queen of Scotland above all other things do  
this she seeketh by all means to prevent; and hat  
Sh. Come, in her name, earnestly to write to cha

such things be attempted before her coming home ; it is said, that they too already arrived here out of for the purpose, what semblant somever the noble- make, that they are grieved with their queen's refusal cometh far from their hearts. They intend to ex- with me hereupon. I have my answer ready for them. If she thrust all Englishmen out of this I doubt not but there will be some of her own that us some kindness. Of me she shall be quit, so it pleaseth the queen's majesty my mistress no use my service in this place. By such talk, as I late had with the lord James and lord of Liding- receive that they are of mind that immediately of convention, I shall repair towards you with their ations, and resolutions, in all purposes, wherein your's advice is earnestly required, and shortly or. Whatsoever I desire myself, I know my but to be subject unto the queen my sovereign's , but to content myself, would God I were so hap- serve, her majesty in as mean a state as ever poor an did, to be quit of this place ; not that I do in t wax weary of her majesty's service, but because and years require some place of more repose and than I find in this country. I doubt also my in- ce when other troubles in this country arise, or all be required of me to the advancement of her 's service, that either my will is not able to com- my credit sufficient to work to that effect, as per- shall be looked for at my hands. As your honour in a means of my continuance in this room, so I it I shall find that continual favour at your hands, soon as it shall stand with the queen's majesty's , I may give this place unto some far worthier in myself, and in the mean season, have my courses by your good advice how I may by my contrivance such service, as may be agreeable to her majesty's pleasure.

A few words, I am bold to write unto your honour if. For the rest, where that is wished that the ill stoutly continue yet for one month, I assure your that there is yet nothing omitted of their old



and accustomed manner of doing, and seeing they have brought that unto this point, and should now they were unworthy of their lives.

I find not that they are purposed so to leave the I doubt more her money than I do her fair work yet can I not conceive what great things can be with forty thousand crowns, and treasure of her or I know that there is no sure or ready means to get the lord of Liddington leaveth nothing at this time unthought that he thinketh may be able to satisfy your desire, in the ledge of the present state of things here. Whatsoever cometh of that, he findeth it ever best, that she can but if she do come, to let her know, at the first, we shall find, which is due obedience, and willing as she embrace Christ, and desire to live in peace with neighbours. By such letters as you have last read your honour somewhat understandeth of Mr Knox and also of others, what is determined, he himself is the uttermost, and other never to leave him until God taken his life, and thus together with what comfort ever it will please you to give him by your letters, the queen's majesty doth not utterly condemn him, or least in that point, that he is so sore charged with his own queen, that her majesty will not allow her to doubt not but it will be a great comfort unto him, as content many others: his daily prayer is for the maintenance of unity with England, and that God will never suffer men to be so ungrate, as by any persuasion to run long unto the destruction of them that have saved lives, and restored their country to liberty. I leave ther, at this time, to trouble your honour, desiring to send such an amity between these two realms that may be glorified to them of this world.—At Edenburgh 9th of August 1561.

## No. VI. (Vol. I. p. 257.)

A letter of Queen Elizabeth to Queen Mary.

[10th of Aug. 1561. Paper-office, from a copy.]

To the right excellent, right high, and mighty princesse,  
our right dear and well beloved sister and cousin the  
queen of Scotland.

RIGHT excellent, right high, and mighty princesse, our  
right dear and right well-beloved sister and cousin, we  
greet you well. The lord of St Cosme brought to us your  
letters, dated the 8th of this present at Abbeville, whereby  
ye signify, that although by the answer brought to you by  
monsieur Doyzel, ye might have had occasion to have en-  
tered into some doubt of our amity, yet after certain pur-  
poses passed betwixt you and our ambassador, you would  
assure us of your good meaning to live with us in amity,  
and for your purpose therein ye require us to give credit  
to the said St Cosme. We have thereunto thought good  
to answer as followeth: The same St Cosme hath made  
like declaration unto us on your part, for your excuse  
in not ratifying the treaty, as yourself made to our am-  
bassador, and we have briefly answered to every the  
same points, as he can shew you: and if he shall not so do,  
yet least in the mean season you might be induced to  
think that your reasons has satisfied us, somerly we assure  
you, that to our requests your answer cannot be reputed  
for a satisfaction. For we require no benefit of you, but  
that you will perform your promise whereunto you are  
bound by your seal and your hand, for the refusal whereof  
we see no reason alledged can serve. Neither covet we  
any thing, but that which is in your own power as queda  
of Scotland, that which your late husband's our good bro-  
ther's ambassador and you concluded, that which your  
own nobility and people were made privy unto, that  
which indeed made peace and quietness betwixt us, yea  
that without which no perfect amity can continue betwixt

\* This is the complete paper of which that industrious  
and impartial collector, bishop Keith, has published a frag-  
ment, from what he calls his shattered MS. 154. note (a) 181.

us, as if it be indifferently weighed, we doubt  
ye will perceive, allow, and accomplish. Never  
perceiving, by the report of the bringer, that yo  
furthwith upon your coming home, to follow h  
advice of your council in Scotland, we are co  
suspend our conceipt of all unkindness, and d  
you that we be fully resolved, upon this being  
ed, to unite a sure band of amity, and to live i  
bourhood with you as quietly, friendly, yea as ass  
the knot of friendship as we be in the knot of na  
blood. And herein we be so earnestly determin  
the world should see if the contrary should follow  
(God forbid) the very occasion to be in you and no  
as the story witnesseth the like of the king you  
our uncle, with whom our father sought to hav  
perpetual bond by inviting to come in this realm  
of which matter we know there remain with us, and  
with you, sundry witnesses of our father's earn  
meaning, and of the error whereunto divers evil  
kers induced your father: or finally where it seen  
report had been made unto you, that we had sent ou  
to the seas with our navy to impeche your passa  
your servants do well understand how false that i  
ing for a truth that we have not any more than  
three small barks upon the seas, to apprehend ce  
rates, being thereto entreated, and almost comp  
the earnest complaint of the ambassador of our g  
ther the king of Spain, made of certain Scottishe  
ing our seas as pirates, under pretence of letters of  
of which matter also we earnestly require you,  
coming to your realme, to have some good consi  
and the rather for respect that ought to be betw  
realme and the countries of us, of France, of Sp  
of the house of Burgundy. And so, right excelle  
high and mighty princess, we recommend us to  
most earnest request, not to neglect these our frie  
sisterly offers of friendship, which, before God,  
and intend to accomplish. Given under our s  
Heyningham the 16th of August, in the third ye  
reign.

## No. VII. (Vol. I. p. 289.)

letter of Randolph to the right honourable Sir William Cecil, knight, principal secretary to the queen's majesty.

[15th of May 1563. Paper-office, from the original.]

Of late, until the arrival of monsieur Le Croc, I had thing worth the writing unto your honour.—Before his ming we had so little to think upon that we did nothing it pass our time in feasts, banquetting, masking, and running at the ring, and such like. He brought with him ch a number of letters, and such abundance of news, at, for the space of three days, we gave ourselves to nothing else but to reading of writings, and hearing of tales, any so truly reported, that they might be compared to y that ever Luciane did write de veris narrationibus. mong all his tidings, for the most assured, I send this to your honour as an undoubted truth, which is, that e cardinal of Lorraine, at his being with the emperor, oved a marriage between his youngest son, the duke of struche, and this queen; wherein he hath so far travelled, at it hath already come unto this point, that if she find good, the said duke will out of hand send hither his am- usador, and farther proceed to the consummation hereof, ith as convenient speed as may be; and to the intent her ind may be the better known, Le Croc is sent unto her ith this message from the cardinal, who hath promised to the emperor, to have word again before the end of lay; and for this cause Le Croc is ready for his departure, and his letters writing both day and night. This een being before advertised of his towardness, by many eans hath sought far off, to know my lord of Murray's ind herein, but would never so plainly deal with him, at he could learn what her meaning is, or how she is ent. She useth no man's council but only this man's at last arrived, and assuredly until the l. of Lidington's turn, she will do what she can to keep that secret; and ecause resolution in his absence cannot be taken, she ill, for this time, return Le Croc with request, to have

longer time to devise; and after, with the most speed she can, she fully purposeth to adverstize him, I mean, her uncle the cardinal, of her mind. Of this matter the l. of Lidington is made privy. I know not whether by some intelligence that he had before his departure, or since his arrival in France, divers letters have passed between her grace and him, whereof as much as it imported not greatly the knowledge of, was communicated to some, as much as was written in sypher is kept unto themselves. Whether also the l. of Lidington hath had conference with the Spanish ambassador in England of this matter or any like, I leave it unto your honour's good means to get true knowledge thereof. Guesses or surmises in so grave matters, I would be loath to write for verities. This also your honour may take for truth, that the emperor hath offered with his son, for this queen's dower, the county of Tyrol, which is said to be worth 30,000 franks by year. Of this matter also the rhingrave wrote a letter unto this queen, out of France, not long since. This is all that presently I can write unto your honour hereof; as I can come by farther knowledge, your honour shall be informed.

I have received your honours writings by the Scottish man that last came into these parts; he brought also letters unto this queen from the l. of Lidington; their date was old, and contained only the news of France. I perceive divers ways, that Newhaven is sore closed, but I am not so ignorant of their nature, but that I know they will say as much as they dare do, I will not say as the proverb doth, '*canis timidus fortius latrat.*' From hence I do assure them, what means somever they make, or how pitiful somever their mone be, they are like to receive but small comfort for all their long allie. We stand daily in doubt what friendship we shall need ourself, except we put better order unto our misruled papists than yet we do, or know how to bring to pass that we may be void of their comber.

To-morrow, the 15th of this instant, the queen departeth of this town, towards Edenburgh. If my hap be good, you shall thoroughly hear some merry tidings of the bp. of St Andrews; upon Wednesday next he shall be assigned, and five other priests, for their missing at East

last. Thus most humbly I take my leave ; at St Andrews, the 15th of May, 1563.

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No. VIII. (Vol. I. p. 298.)

Letter of Randolph to the right honourable Sir William Cecil, knight, principal secretary to the queen's majesty.

[10th of April 1563. Paper-office, from the original in his own hand.]

MAY it please your honour, the 7th of this instant, Rowlet, this queen's secretary, arrived here ; he reporteth very honestly of his good usage, he brought with him many letters unto the queen that came out of France, full of lamentation and sorrow. She received from the queen-mother two letters, the one contained only the rehearsal of her griefs, the other signify the state of France as then it was, as in what sort things were accorded, and what farther was intended for the appeasing of the discords there, not mistrusting but that if reason could not be had at the queen of England's hands, but that the realm of France should find her ready and willing to support and defend the right thereof, as by friendship and old alliance between the two realms she is bound.

How well these words do agree with her doings your honour can well consider, and by her writings in this sort unto this queen, (which I assure your honour is true,) you may assuredly know, that nothing shall be left undone of her part, that may move debate or controversie between this queen and our sovereign.

It was much mused by the queen herself, how this new kindness came about, that at this time she received two long letters written all with her own hand, saying, all the time since her return she never received half so many lines as were in one of the letters, which I can myself testify by the queen's own saying, and other good assurance, where hitherto I have not been deceived. I can also farther assure your honour, that this queen hath said that she

knoweth now, that the friendship of the queen's majesty  
our sovereign may stand her more in stead, than that of  
her good mother in France, and as she is desirous of them  
both, so will she not lose the one for the other. I may also  
farther assure your honour, that whatsoever the occasion  
is, this queen hath somewhat in her heart that will burst  
out in time, which will manifest that some unkindness hath  
passed between them, that will not be easy forgotten. In  
talk sometimes with myself, she saith that the queen mo-  
ther might have used the matter otherwise than she hath  
done, and doth much doubt what shall be the success of her  
great desire to govern alone, in all things to have her will.  
Seeing then that presently they stand in such terms one  
with the other, I tho't it better to confirm her in that mind,  
(this queen I mean,) than to speak any word that might  
cause her to conceive better of the other. And yet I am  
assured she shall receive as friendly letters, and as many  
good words from this queen, as the other did write unto  
her. Whether the queen mother will speak any thing un-  
to the l. of Lidington of that purpose she did write unto  
this queen of, I know not; but if she do, I think it hard if  
your honour can get no favour thereof, at his return, or I  
perchance by some means here. It may perchance be  
written only by that queen, to try what answer this queen  
will give, or understand what mind she beareth unto the  
queen's majesty our sovereign. The queen knoweth now  
that the earl Bothwell is sent for to London. She caused  
a gentleman of hers to enquire the cause; I answered that  
I knew none other, but that his takers were in controversy  
who took him, and that it should be judged there. I know  
that she thinketh much that he is not sent into Scotland.  
It is yet greatly doubted that if he were here, he would be  
reserved for an evil instrument. If the lord of Lidington  
have not been plain with your honour herein, he is in the  
wrong to those who are his friends here, but most of all to  
himself. There comes a vulture in this realm, if ever that  
man come again into credit,

## No. IX. (Vol. I. p. 306.)

The oration made by William Maitland of Lethington, younger secretary for the time, in the parliament holden by our sovereign the king's mother, queen of this realm for the time, the time of the restitution of Umquile Matthew earl of Lennox.

My lords, and others here convened. Albeit, be that it has pleased her majesty most graciously to utter unto you, by her own mouth, ye may have sufficiently conceived the cause of this your present assembly; yet having her majesty's commandment to supply my lord chancellor's place, being presently as ye see deceased, I am willed to express the same somewhat more at large.

Notour it is, how in her highness's minority, a process of forfaitour was decreed against my lord of Lennox, for a certain offences alledged committed by him; specified in the dome and censement of parliament given thereupon; by reason whereof he has this long time been exiled, and absent forth of his native cōuntry; how grievous the same has been unto him, it has well appeared by divers his suites, sundry ways brought unto her majesty's knowledge, not only containing most humble and due submission, but always bearing witness of his good devotion to her majesty, his natural princess, and earnest affection he had to her highness most humble service, if it should please her majesty of her clemency to make him able to enjoy the benefit of a subject; many respects might have moved her highness favourably to incline to his request, as the ancieny of his house, and the surname he bears, the honour he has to appertain to her majesty by affinity, by reason of my lady Margaret her highness's aunt, and divers other his good considerations, as also the affectionous request of her good sister the queen's majesty of England, whose earnest commendation was not of least moment, besides that of her own natural, her majesty has a certain inclination to pity the decay of noble houses, and as we heard, by her



own report, has a great deal more pleasure to be the upholder of the uphold, maintenance, and advancement of the ancient blood, than to have matter ministered of it or overthrow of any good race. Upon this occasion her majesty the more tenderly looked upon his request, good sister the queen of England's favourable letter for recommendation of his cause, in consideration not only has she granted unto him her letter of respite by way of grace, but also licenced him to pursue, of redress, the remedies provided by the law for such as think themselves grieved by any judgement, unorder and to have the process reversed ; for examination of, it has pleased her majesty presently to assemble the three estates of this her realme, by whose deliberation, and decision at her majesty's mind, to forward upon his complaints, as the merits of the laws of the realme, and practice observed in such cases will bear out. The sum of all your proceedings at this time, being by that we have heard, thus as it were out, I might here end, if the matter we have in hand were not occasion to say a few more words, not far from the same subject, wherein I would extend circumstances more largely. If I feared not to offend your highness, whose presence and modest nature abhor speaking and adulation, and so will compel me to say such things, as may seem to tend to any good and advantage ; and lest it should be computed to me, as being oblivious, if I should omit to put you in remembrance of what part we may accept of this, and the like demonstration of her gentill nature ; whose gracious behavior towards her subjects, in general, may serve for a good proof of felicity, we may look for under her happy government long as it shall please God to grant her unto us ; for harmony to be had in the common weill, the offices of the prince and the subjects must be reciproque ; as her majesty's prudence we enjoy this present peace with our reign nations, and quietness among yourselves, in such that I think justly it may be affirmed Scotland, in this age, that presently lives, was in greater tranquillity it the duty of all us her loving subjects to acknowledge the same as a most high benefit, proceeding from the

ernment of her majesty, declaring ourselves thankful for the same, and rendering to her majesty such due obedience, as a just prince may look for at the hands of faithful and obedient subjects. I mean no forced nor unwilling obedience, which I know her nature does detest, but such as proceeds from the contemplation of her modest kind of regiment, will for love and duty sake produce the fruits hereof. A good proof have we all in general had of her majesty's benignity these three years, that she has lived in the government over you, and many of you have largely tasted of her large liberality and frank dealing; on the other part her highness has had large appearance of your dutiful obedience, so it becomes you to continue, as we have begun, in consideration of the many notable examples of her clemency above others her good qualities, and to abhor and detest all false brutes and rumours, which are the most pestilent evils that can be in any common weill, and the sowers and inventors thereof. Then may we be well assured to have of her an most gracious princesse, and the most faithful and loving subjects; and so both the head and the members, being encouraged to maintain the harmony and accord of the politic bodies, whereof I have mention before, as the glory thereof shall partly pertain to her majesty, so shall no small praise and unpeakable commodity redound therethrough to you all unitedly her subjects.

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### No. X. (Vol. I. p. 317.)

The perils and troubles that may presently ensue, and in time to come follow, to the queen's majesty of England, and state of this realm, upon the marriage of the queen of Scots to the lord Darley.

FIRST, the minds of such as be affected to the queen of Scots, either for herself or for the opinion of her pretence to this crown, or for the desire to have change of the forme of religion in this realm, or for the discontentation they

have of the queen's majesty, or her succession, or of the succession of any other beside the queen of Scotts, shall be, by this marriage erected, comforted, and induced to devise and labour how to bring their desires to pass; and to make some estimate what persons those are, to the intent the quantity of the danger may be weighed; the same may be compassed in those sorts either within the realm or without.

The first are such as are specially devoted to the queen of Scotts, or to the lord Darley, by bond of blood and alliance; as first, all the house of Lorrain and Guise for her part, and the earl of Lennox and his wife, all such in Scotland as be of their blood, and have received displeasures by the duke of Chatelherault and the Hamiltons. The second are all manner of persons, both in this realm and other countries, that are devoted to the authority of Rome, and mislike of the religion now received; and in these two sorts are the substance of them comprehended, that shall take comfort in this marriage.

Next therefore to be considered what perils and troubles these kind of men shall intend to this realm.

First, the general scope and mark of all their desires is, and always shall be, to bring the queen of Scotts to have the royal crown of this realm; and therefore, though the devisors may vary amongst themselves for the compassing hereof, according to the accidents of the times, and according to the impediments which they shall find by means of the queen's majesty's actions and governments, yet all their purposes, drifts, devises, and practices, shall wholly and only tend to make the queen of Scotts queen of this realm, and to deprive our sovereign lady thereof; and in their proceedings, there are two manners to be considered, whereof the one is far worse than the other; the one is intended by them, that either from malicious blindness in religion, or for natural affection to the queen of Scotts, or the lord Darley, do persuade themselves that the said queen of Scotts hath presently more right to the crown than our sovereign lady the queen, of which sort be all their kindred on both sides, and all such as are devoted to popery, either in England, Scotland, Ireland, or elsewhere; the other is meant by them, which, with less malice, are

persuaded that the queen of Scots hath only right to be the next heir to succeed the queen's majesty and her issue, which sort few are without the realm, but here within, and yet of them, not so many as are of the contrary, and in these two sorts shall the peril, devises, and practices proceed. From the first, which imagine the queen of Scots to have perpetually right are to be looked for these evils. First, is it to be doubted the devil will infect some of them to imagine the hurt of the life of our dear sovereign lady, by such means as the devil shall suggest to them? although it is to be assuredly hoped, that Almighty God will, as he hath hitherto, graciously protect and preserve her from such dangers. Secondly, there will be attempted, by persuasions, by bruits, by rumours, and such like, to alienate the minds of good subjects from the queen's majesty, and to conciliate them to the queen of Scots, and on this behalf the frontiers and the north will be much solicited and labored. Thirdly, there will be tempted causes of some tumults and rebellions, especially in the north toward Scotland, so as thereupon may follow some open enterprise set by violence. Fourthly, there will be, by the said queen's council and friends, a league made with France, or Spain, that shall be offensive to this realm, and a furtherance to their title. And as it is also very likely, that they will set a foot as in any practices as they can, both upon the frontiers and Ireland, to occasion the queen's majesty to increase and continue her charge thereby, to retain her from being mighty or potent, and for the attempting of all these things, many devises will be imagined from time to time, and no negligence will therein appear.

From the second sort, which mean no other favour to the queen of Scots, but that she should succeed in title to the queen's majesty, is not much to be feared, but that they will content themselves to see not only the queen's majesty not to marry, and so to impeach it, but to hope, that the queen of Scots shall have issue, which they will think to be more pleasurable to all men, because thereby the crowns of England and Scotland shall be united in one, and thereby the occasion of war shall cease; with which

persuasion many people may be seduced, and abused incline themselves to the part of the queen of Scots.

The remedies against these perils.

### A Duplicat.

A summary of the consultation and advice given by the lords and others of the privy council collected out of the sundry and several speeches of the said counsellors.

[4th of June 1565. Cott. Lib. Cal. B. 10. fol. 290.]

Lord Keeper,	Mr Comptroller,
Lord Treasurer,	Mr Vice Chamberlain,
Earls of { Derby,	Mr Secretary,
{ Bedford,	Cave,
{ Leicester,	Peter,
Lord Admiral,	Mason,
Lord Chamberlain,	

Questions propounded were these two.

1. FIRST, what perils might ensue to the queen's majesty, or this realm, of the marriage betwixt the queen of Scots, and the lord Darnley.

2. What were meet to be done, to avoid or remedy the same.

#### To the First.

The perils being sundry, and very many, were reduced by some counsellors into only one.

1. First, That by this marriage, the queen of Scotland (being not married,) a great number in this realm not the worst subjects might be alienated in their minds from their natural duties to her majesty, to depend upon the success of this marriage of Scotland, as a mean to establish the succession of both the crowns in the issue of the said marriage, and so favour all devices and practices, that should tend to the advancement of the queen of Scots.

ondly, that considering the chief foundation of which furthered the marriage of lord Darnley, was the trust of such as were papists, as the only fit to restore the religion of Rome, it was plainly seen, that both in this realm and Scotland, the papists would most favour, maintain, and fortify this marriage of lord Darnley, and would, for furtherance of faction in, devise all means and practices that could be in this realm, to disturb the estate of the queen's majesty, the peace of the realm, and consequently to attain their purposes by force rather than fail. By some of these perils having indeed many branches, were reckoned somewhat otherwise, into two sorts, and were in nature such as they could not be easily severed one from the other, but were knit and linked together naturally for maintaining the one with the other. One of these sort of perils was, that by this marriage of lord Darnley, there was a plain intention to further the title of the queen of Scots, not only to succeed the queen's majesty, as in her best amity she had professed that to occupy the queen's estate, as when she was in power, she did manifestly declare.

The second was, that hereby the Romish religion should be increased daily in this realm, and these two perils knit together, that the furtherance and maintenance of the title staid, in furthering of the religion of this realm; and in like manner the furtherance of the same religion stood by the title, for otherwise it had no foundation.

[of the first.] And to prove that the intention to use the title to disturb the queen's majesty must needs be considered that always the intention and will of a person is most manifest, when their power is greatest, and very when power is small, then the intention and will of every person is covered and less seen. So as when the power of Scots was greatest, by her marriage with the Dauphin of France, being afterwards French king, it clearly appeared of what mind she and all her friends were; then manifestly all the means that could be devised to impeach and dispossess the queen's majesty, first; and publishing herself in all countries queen of

England; by granting charters, patents, and commission with that style, and with the arms of England, both to the French and Scots, which charters remain still undisturbed, and to prosecute it with effect; it is known what preparations of war were made, and sent into Scotland; and what other forces were assembled in foreign countries; yea, in what manner a shameful peace was made by the King with king Philip to employ all the forces of France to pursue all the matters by force which by God's providence to the queen's majesty contrary power, were repelled; and afterwards, by her husband's death, her fortune and power being changed, the intention began to hide itself, and although by the Scottish queen's commissaries an accord was made at Edinburgh, to reform all those titles, and claims and pretences, yet to this day, by delays and cavillations the ratification of that treaty has been deferred: And now, as soon as she shall feel her power, she will set it same again abroad, and by considering of such errors were committed in the first, her friends and allies will amend the same, and proceed substantially to her purpose. By some it was thought plainly, that the peril was greater of this marriage with the lord Darnley, being a subject to this realm, than with the mightiest prince abroad, for by this, he being of this realm, and having for the cause of religion, and other respects, made a party here, should increase by force with diminution of the power of the realm in that whatsoever power he could make by the faction of the papist, and other discontented persons here, should be as it were deducted out of the power of this realm; and by the marriage of a stranger, she could not be assured of any part here; so as by this marriage she should have a portion of her own power to serve her turn, and a small portion of adversaries at home in our own bowels, always seen more dangerous than treble the like abroad, whereof the examples are in our own stories many, that foreign power never prevailed in this realm, but with the help of some at home. It was also remembered, that seeing how better this attempt of marriage, it is found, and manifestly seen that in every corner of the realm, the faction that most favoureth the Scottish title, is grown stout and bold, yet seen manifestly in this court, both in hall and chamber,

could not be but (except good heed were speedily given to it) by this marriage, and by the practice of the fautors thereof, the same faction would shortly encrease, and grow so great and dangerous, as the redress thereof would be almost desperate. And to this purpose it was remembered, how of late in perusing of the substance of the justice of the peace, in all the countries of the realm, scantily a third was found fully assured to be trusted in the matter of religion, upon which only string the queen of Scotts title doth hang, and some doubt might be, that the friends of the earl of Lennox, and his had more knowledge hereof than was thought, and thereby made avant now in Scotland, and their party was so great in England as the queen's majesty durst not attempt to contrary his marriage. And in this sort, was the sum of the perils declared, being notwithstanding more largely and plainly set out, and made so apparent by many sure arguments, as no one of the council could deny them to be but many and very dangerous.

#### Second Question.

The question of this consultation was what were meet to be done to avoid these perils, or else to divert the force thereof from hurting the realm; wherein there were a great number of particular devises propounded, and yet the more part of them was reduced by some into three heads.

1. The first thought necessary by all persons, as the only thing of the most moment and efficacy, to remedy all these perils, and many others, and such as without it, no other remedy could be found sufficient, and that was to obtain that the queen's majesty would marry, and make therein no long delay.

2. The second was, to advance, establish, and fortify indeed the profession of religion, both in Scotland and in England, and to diminish, weaken, and feeble the contrary.

3. The third was, to proceed on sundry things, either to disappoint and break this intended marriage, or, at the least, thereby to procure the same not to be so hurtful to this realm, as otherwise it will be.

The first of these three hath no particular rights in it, but an earnest and unfeigned desire and suite, with all humbleness, by prayer to Almighty God, and advice and



council to the queen's majesty, that she would defer no more time from marriage, whereby the good subjects of the realm might stay their hearts, to depend upon her majesty, and the issue of her body, without which no surety can be devised to ascertain any person of continuance of their families or posterities, to enjoy that which otherwise should come to them.

Second, concerning the matters of religion, wherein both truth and policy were joined together, had these particulars.

First, whereas of late the adversaries of religion, in the realm, have taken occasion to comfort and increase their faction, both in England, Scotland, and abroad, with a rumour and expectation that the religion shall be shortly changed in this realm, by means that the bishops, by the queen's majesty's commandment, have of late dealt straightly with some persons of good religion, because they had forborn to wear certain apparel, and such like things; being more of form and accidents, than of any substance, for that it is well known that her majesty had no meaning to comfort the adversaries, but only to maintain an uniformity as well in things external, as in the substance, nor yet hath any intention to make any change of the religion, as it is established by laws. It was thought by all men very necessary, for the suppressing of the pride and arrogance of the adversaries, indirectly hereby to notify, by her special letters to the two archbishops, that her former commandment was only to retain an uniformity, and not to give any occasion to any person to misjudge of her majesty, in the change of any part of religion, but that she did determine firmly to maintain the form of her religion, as it was established, and to punish such as did therein violate her laws. And in these points, some also wished that it might please her archbishops, that if they should see that the adversaries continued in taking occasion to fortify their faction, that in that case they should use a moderation therein, until the next parliament, at which time, some good, uniform, and decent order might be devised, and established, for such ceremonies, so as both uniformity and gravity might be retained amongst the clergy.

The second means was, that the quondam bishops, and

bers, which had refused to acknowledge the queen's majesty's power over them, according to the law, and were of te dispersed in the plague time to sundry places abroad, here it is known they cease not to advance their faction, ight be returned to the tower, or some other prison, here they might not have such liberty to seduce and ingigle the queen's majesty's subjects as they daily do.

The third means was, that where the bishops do com- ain that they dare not execute the ecclesiastical laws, to e furtherance of religion, for fear of the premunire where- ith the judges and lawyers of the realm, being not best fected in religion, do threaten them, and in many cases, t not to pinch and deface them, that upon such cases ened, some convenient authority might be given them, om the queen's majesty, to continue during her pleasure.

The fourth was, that there were daily lewd, injudicious id unlawful books in English brought from beyond seas, id are boldly received, read, and kept, and especially in e North, seducing of great numbers of good subjects, e like boldness whereof was never suffered in any other incesse's time, that somes treight order might be given to oid the same, and that it might be considered by the dges, what manner of crime the same is, to maintain such oks, made directly against her majesty's authority, and maintaining a foreign power, contrary to the laws of the ealm.

The fifth was, that where a great number of monks, yars, and such lewd persons, are fled out of Scotland, nd do serve in England especially in the North, as curates f churches, and all such of them as are not found honest nd conformable, may be banished out of the realm, for hat it appeareth they do sow sedition in the realm, in any places, and now will increase their doings.

The sixth, where sundry having ecclesiastical livings, e on the other side the sea, and from thence maintain edition in the realm; that livings may be better bestowed o the commodity of the realm, upon good subjects.

The seventh is, that the judges of the realm, having no hall authority in this realm, in governance of all property f the realm, might be sworn to the queen's majesty, ac- ording to the laws of the realm, and so thereby they

should for conscience sake maintain the queen's authority.

The particulars of the third intention to break this marriage, or to divert the perils.

First to break this marriage, considering it is likely to do it, but force, or fear of force, it is some that these means following might occasion of the marriage.

1. That the Earl of Bedford repair to his ch
2. That the works of Berwick be more advan
3. That the garrison be there increased.
4. That all the wardens put their frontiers in speed, to be ready at an hour's warning.
5. That some noble person, as the Duke of the Earl of Salop, or such other, be sent into to be lieutenant-general in the North.
6. That preparations be made, of a power readiness to serve, either at Berwick, or to in land.

7. That presently Lady Lennox be committed place, where she may be kept from giving or intelligence.

9. That the Earl of Lennox and his son may and required to be sent home by the queen of cording to the treaty; and if they shall not condonance to the queen of Scots the breach of and thereupon to enter with hostility; by which, hope is conceived (so the same be done in not in shews) that the marriage will be avoided least that it may be qualified from many perils soever is to be done herein, is to be executed whilst she has a party in Scotland that favour marriage, and before any league made by the Scots with France or Spain.

Some other allows well of all these proceedings of proceeding to hostility, but all do agree in also to these particularities following:

10. That the earl's lands upon his refusal, refusing, should be seized, and bestowed in gift as shall please her majesty, upon good subject

11. That all manifest favourers of the earl, in the North, or elsewhere, be inquired for, and that they be, by sundry means, well looked to.

12. That enquiry be made in the North, who have the stewardship of the queen's majesty's lands there, and that no person, deserving mistrust, be suffered to have governance or rule of any of her subjects or lands in the North, but only to retain their fees, and more trusty person have rule of the same people's lands.

13. That all frequent passages into this realm, to and from Scotland, be restrained to all Scottish men, saving such as have safe-conduct, or be especially recommended from Mr Rahtdolph, as favourers of the realm.

14. That some intelligence be used with such in Scotland, as favour not the marriage, and they comforted from time to time.

15. That the queen's majesty's household, chamber, and pensioners, be better seen unto, to avoid broad and uncomely speech used by sundry against the state of the realm.

16. That the younger son of the earl of Lennox, Mr Charles, be remembered to some place where he may be forth coming.

17. That considering the faction and title of the queen of Scots hath now of long time received great favour, and continued, by the queen's majesty's favour herein to the queen of Scots and her ministers, and the lady Catharine, whom the said queen of Scots accounted as a competitor unto her in pretence of title, it may please the queen's majesty, by some exterior act, to shew some remission of her displeasure to the lady and to the earl of Hartford, that the queen of Scots thereby may find some change, and her friends put in doubt of further proceeding therein.

18. That whosoever shall be lieutenant in the North, Sir Ralph Sadler may accompany him.

19. That with speed the realm of Ireland may be committed to a new governor.

20. Finally, that these advices being considered by her majesty, it may please her to choose which of them she liketh, and to put them in execution in deeds, and not to pass them over in consultations and speeches.

For it is to be assured, that her adversaries will use all

means to put their intention into execution. Some by practice, some by force, when time shall serve, and no th can serve so well the queen's majesty to interrupt the rfts, as now at the first, before the queen of Scots purp be fully settled.

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No. XI. (Vol. I. p. 327.)

Randolph to the Earl of Leicester, from Edinburgh the 31st of July 1565.

[Cott. Lib. Cal. b. ix. fol. 216. An original.]

MAY it please your lordship, I have received your lordship's letter by my servant, sufficient testimony of your lordship's favour towards me, whereof I think myself ways so assured, that what other mishap soever befall I have enough to comfort myself with ; though I have at this time received neither according to the need I stand nor the necessity of the service that I am employed in, will rather pass it, as I may with patience, than trouble your lordship to be further suter for me, when there is so little hope that any good will be done for me. I doubt not but your lordship hath heard by such information as I have given from hence, what the present state of this country how this queen is now become a married wife, and her husband, the self-same day of his marriage, made a king. In the desires, hitherto, they have found so much to their contentment, that if the rest succeed and prosper accordingly, they may think themselves much happier, than there is appearance that they shall be ; so many discontented minds, so much misliking of the subjects to have these matters thus ordered and in this sort to be brought to pass I never heard of a marriage ; so little hope, so little comfort as men do take was never seen, at any time, when men should most have shewed themselves to rejoice, if that consideration of her own honour and well of her country had been had as she pertained in so weighty a case. This is now their fear, the overthrow of religion, the breach of amitie with the queen

and the destruction of as many of the nobility as  
 misliking of, or that he liketh to pitch a quarrel  
 to see all these inconveniencys approaching there  
 number that may sooner lament with themselves,  
 plain to their neighbours, than be able to find re-  
 help them, some attempt with all the force they  
 are too weak to do any good, what is required  
 is, or what means there is made your lordship  
 ; what will be answered, or what will be done  
 we are in great doubt, and though your intent be  
 good unto us, yet do we so much fear your delay,  
 ruin shall prevent your support when council is  
 given. Nothing so needful, as speedy execution.  
 queen's majesty, we wholly depend in her ma-  
 ands it standeth to save our lives, or to suffer us  
 ; greater honour her majesty cannot have, than  
 which lieth in her majesty's power to do for us ;  
 are not great, the numbers of men are not many  
 desire ; many will dayly be found, tho' this will be  
 large ; men grow dayly, though, at this time, I  
 majesty shall lose but few ; her friends here being  
 run away, where will her majesty find the like ; I  
 trust of that which I think is most earnestly intended  
 queen, and her husband, when by him it was lately  
 it he cared more for the papists in England, than  
 for the protestants in Scotland ; if therefore, his  
 be so great in the papists of England, what may  
 your ship believe that he thinketh of the protestants  
 for his birth, for his nurritour, for the honour he  
 be of kine to the queen my mistress, if in pre-  
 those that are the queen's majesties worst subjects  
 that are her best, he declareth what mind he bea-  
 re queen's majesty's self, any man may say it is  
 rewarded, and his duty evil forgotten ; he would  
 seem to be indifferent to both the religions, she to  
 mass, and he to come sometimes to the preaching ;  
 he married with all the solemnities of the popish  
 saying that he heard not the mass ; his speech and  
 with his mind, and yet would he fain seem to the  
 that he were of some religion ; his words to all men,  
 whom he conceiveth any displeasure how unjust

soever it be, so proud and spittfull, that rather he accompt  
a monarch of the world, than he that, not long since, we  
have seene and known the lord Darnley; he looketh now  
for reverence of many that have little will to give it him;  
and some there are that do give it, that think him little  
worth of it. All honour that may be attributed unto any  
man by a wife, he hath it wholly and fully; all praises  
that may be spoken of him he lacketh not from himself;  
all dignities that she can indue him with which are al-  
ready given and granted; no man pleaseth her that  
contenteth not him; and what may I say more, she  
hath given over to him her whole will, to be ruled and  
guided as himself best liketh; she can as much prevail  
with him, in any thing that is against his will, as your  
lordship may with me to persuade that I should hang  
myself; this last dignity out of hand to have been pre-  
claimed king, she would have it deferred until it were  
agreed by parliament, or he had been himself 21 years of  
age, that things done in his name might have the better  
authority. He would, in no case, have it deferred one  
day, and either then or never; whereupon this doubt is  
risen amongst our men of law, whether she being dead  
with a husband, and her husband not twenty-one years,  
any thing without parliament can be of strength, that is  
done between them; upon Saturday at afternoon these  
matters were long in debating. And before they were well  
resolved upon, at nine hours at night, by three heralds, at  
sound of the trumpet he was proclaimed king. This was  
the night before the marriage; this day, Monday at twelve  
of the clock, the lords all that were in the toun, were pre-  
sent at the proclaiming of him again, where no man said  
so much as Amen, saving his father, that cried out aloud  
God save his queen. The manner of the marriage was in  
this sort, upon Sunday in the morning between five and  
six, she was conveyed by divers of her nobles to the cha-  
pell; she had upon her back the great mourning gown of  
black, with the great wide mourning hood, not unlike unto  
that which she wore the doulfull day of the burial of her  
husband: she was led into the chapell by the earl of Len-  
nox and Athol, and there was she left untill her husband  
came, who also was conveyed by the same lords, the mi-

ister priests, two, do there receive them, the hands are sked the third time, and an instrument taken by a notour hat no man said against them, or alleged any cause why he marriage might not proceed. The words were spoken, he rings which were three, the middle a rich diamond, were put upon her finger; they kneel together, and many prayers said over them, she tarrieth out the mass, and he akoth a kiss, and leaveth her there, and went to her chamber, whither within a space she followeth; and being required according to the solemnity, to cast off her cares and leave aside those sorrowfull garments, and give herself to a more pleasant life, after some pretty refusall, more I relieve for manner sake than grief of heart, she suffered hem that stood by, every man that could approach, to take out a pin, and so being committed to her ladies, changed her garments, but went not to bed, to signifie to the world, hat it was not lust that moved them to marry, but only the necessity of her country, not, if God will, long to leave it destitute of an heir. Suspicious men, or such as are given of all things to make the worst, would that it should be relieved, that they knew each other before that they came here; I would not your lordship should so believe it, the likelihoods are so great to the contrary, that if it were possible to see such an act done, I would not believe it. After the marriage followeth commonly great cheer and dancing: to their dinner they were conveyed by the whole nobility; the trumpets sound; a largess cried; mony thrown about the house in great abundance, to such as were happy to get any part; they dine both at one table, she upon the upper hand, there serve her these earls Athole sewer, Moron carver, Craufoord cup-bearer; these serve him in like offices, earls Eglington, Cassels, and Glencairn; afterdinner they danced a while, and then retired themselves till the hour of supper; and as they dined so do they sup, some lancing there was, and so they go to bed; of all this I have written to your lordship I am not oculatus testis, to this, out of the verity your lordship shall not need to doubt, howsoever I came by it; I was sent for to have been at the supper, but like a currish or uncourtly carle I refused to be there; and yet that which your lordship may think might move me much, to have had the sight of my mistress,



of whom these eighteen days by just account I got not sight, I am my lord taken by all that sort as a very ev person, which in my heart I do well allow, and like of my self the better, for yet can I not find either honest or good that liketh their doings. I leave at this time further trouble your lordship, craving pardon for my long silence I have more ado than I am able to discharge, I walk no more abroad by night than by day, and the day too little to discharge myself of that which I conceive, or receive the night. As your lordship, I am sure, is partaker of our letters as I write to Mr Secretary, so that I trust that I shall be to this, to save me of a little labour, to write the same again, must humbly I take my leave at Edinburgh the last day of July 1565.

## No. XII. (Vol. I. p. 391.)

Letter of the Earl of Bedford to the honourable Sir William Cecil, knight, her majesty's principal secretary, and one of her highness's private council.

[2d of Sept. 1565. Paper-office from the original.]

AFTER my hearty commendations, this day at noon Captain Brickwell came hither, who brought with him the queen's majesty's letters containing her full resolution and pleasure for all things he had in charge to give information of, saving that for the aid of the lords of the congregation there is nothing determined, or at the least expressed in the same letters, and for that purpose receive I this morning, a letter subscribed by the duke, the earl of Murray, Glencarne, and others, craving to be helped with 300 harquebusiers out of this garrison, for their better defence. And albeit, I know right well the goodness of their cause, and the queen's majesty our sovereign's goodwill, and care towards them; and do also understand that it were very requisite to have them helped, for that no other cause is to be in this manner decided, and that now standeth upon their utter overthrow and undoing.

the queen's party is at the least 8000, and they not above 1000; besides that the queen hath harqueyers, and they have none, and do yet want the power the earl of Argyll should bring to them, who is not joined with theirs; I have thereupon thought good to y<sup>e</sup> you to be a means to learn her majesty's pleasure in behalf, what, and how, I shall answer them, or otherwise deal in this matter, now at this their extreme necessity.

For, on the one side, lyeth thereupon their utter and overthrow, and the miserable subversion of religion there; and, on the other side, to adventure so great weighty a matter as this is, (albeit it be but of a few years, for a small time) without good warraunts, and remedy to bring, peradventure, upon our heads some wars, and in the mean time to leave the place unfurnished, (having in the whole but 800) without any grant new supply for the same; and by that means also, to leave the marches here the more subject to invasion, while the mean season new helps are preparing; to this know

I what to say or how to do. And so much more I reveal thereof, as that having so many times written concerning this matter no resolute determination cometh. I stand so between the writing, and looking for answer, the action cannot pass, but must needs proceed and have cess. God turn it to his glory; but surely all men's consciences hath great cause to fear it. Such a push it is now come unto, as this little supply would do much good to advance God's honour, to continue her majesty's great and useful memory of them, and to preserve a great many noblemen and gentlemen. If it be not now helpen, it is gone ever.

Your good will and affection that way I do nothing mistrust, and herein shall take such good advice as any means I can. I received from these lords two papers inclosed, the effect whereof shall appear unto you. As touching those matters that captain Brickwell brought, I shall answer you by my next, and herewith send you two letters from Mr Handolph, both received this day. By him you shall hear that the protestants are retired from Edenburgh, further off. So I hope your resolution for their aid shall come in time, if it come in speed, for that they will now so presently need them; and so with my hearty

thanks comit you to God. From Berwick, this 28  
Sept. 1565.

No. XIII. (Vol. I. p. 381)

The Queen to the Earl of Bedford.

[12 Sept. 1565. Paper-office.]

UPON the advertisements lately received from you, & such other things as came also from the lord Scrope & Thomas Randolph, and upon the whole matter well considered, we have thus determined. We will, with all speed that we can, send to you 3000*l.* to be thus used. you shall certainly understand that the earl of Murray hath such want of money, as the importing to him of 100 might staid him in stead for the help to defend him; you shall presently let him secretly to understand, if you will, as of yourself, let him have so much; and we will that you let him have, in the most secret sort & you can, when the said sum shall come to you, or if you can, by any good means, advance him some part thereof beforehand.

The other 2000*l.* you shall cause to be kept whole, & spent if it be not that you shall see necessary cause to spend some part thereof to the now numbers of the 600 footmen and 100 horsemen; or to the casting out of wages of such workmen, as by sickness, or otherwise, ought to be discharged. And where we perceive, by your sundry letters the earnest request of the said earl of Murray and his associates, that they might have, at least, 300 of our soldiers to aid them. And that you also write, that tho' we would not command you to give them aid, yet if we would wink at your doing herein, and seem to blame you for tempting such things, as you with the help of others should bring about, you doubt not but things would do well; we shall understand for a truth, that we have no intent for many respects, to maintain any other princes' subjects, to take arms against their sovereign; neither would willingly do any thing to give occasion to wars betwixt us and that prince, which has caused us

forbear, hitherto, to give you any power to let them be aided with any men. But now, considering we take it, that they are pursued, notwithstanding their humble submission and offer to be ordered and tried by law and justice, which being refused to them, they are retired to Dumfres, a place near our west marches, as it seemeth there to defend themselves, and adding thereunto the good intention that presently the French king pretendeth, by sending one of his to join with some one of ours, and jointly to treat with that queen, and to induce her to forbear this manner of violent and rigorous proceeding against her subjects, for which purpose the French ambassador here with us has lately written to that queen, whereof answer is daily looked for; to the intent in the mean time the said lords should not be oppressed and ruined for lack of some help to defend them, we are content and do authorize, if you shall see it necessary for their defence, to let them (as of your own adventure, and without notifying that you have any direction therein from us) to have the number of 300 soldiers, to be taken, either in whole bands, or to be drawn out of all your bands, as you shall see cause. And to cover the matter the better, you shall send these numbers to Carlisle, as to be laid there in garrison, to defend that march, now in this time that such powers are on the other part drawing to those frontiers, and so from thence as you shall see cause to direct of, the same numbers, or any of them, may most covertly repair to the said lords, when you shall expressly advertize, that you send them that aid only for their defence, and not therewith to make war against the queen, or to do any thing that may offend her person; wherein you shall so precisely deal with them, that they may perceive your care to be such as if it should otherwise appear, your danger should be so great as all the friends you have could not be able to save you towards us. And so we assure you our conscience moveth us to charge you so to proceed with them; for otherwise than to preserve them from ruin, we do not yield to give them aid of money or men: and yet we would not that either of these were known to be our act, but rather to be covered with your own desire and attempt.

## No XIV. Vol. II. p. 5.)

Randolph to Cecil, from Edinburgh, 7th  
1565-6.

[An original.]

MY humble duty considered; what to write of  
sent state of the country I am so uncertain, by  
the daily alterations of mens minds, that it ma  
much slower than othervise I would. Within t  
days there was some good hope, that this quee  
have shewed some favour towards the lords, and  
beit Melvin should have returned unto them with  
upon some conditions. Since that time, there  
out of France Clernau by land, and Thornteton by  
one from the cardinal, the other from the bishop  
gow. Since whose arrival neither can there be ge  
gotten, nor appearance of any good intended them  
that they be able to perswade the queen's majesty  
verelgn to make her heir apparent to the crown  
land. I write of this nothing less than I know,  
hath spoken. And by all means that she thin  
best doth travaile to bring it to pass. There is  
lately devised, in which the late pope, the empe  
king of Spain, the duke of Savoy, with divers pr  
Italy, and the queen mother suspected to be of t  
confederacy to maintain papistry throughout Christ  
this band was sent out of France by Thornteton  
subscribed by this queen, the copy thereof remain  
her, and the principal to be returned very short  
hear, by Mr Stephen Wilson, a fit minister for su  
vilish devise; if the coppie hereof may be gotten, t  
be sent as I conveniently may. Monsicur Rambol  
to this toun upon Monday, he spoke that night to th  
and her husband, but not long; the next day he h  
conferences with them both, but nothing came to th  
ledge of any whereof they intricated. I cannot sp  
any that hath any hope that there will be any ge  
for the lords by him, though it is said that he ha  
good will to do so to the uttermost of his power

near to the court, and liveth upon the queen's . Upon Sunday the order is given, whereat means many to be present at the mass. Upon Candlemas re carried their candles, with the queen, her husband the earl of Lennox, and earl Athol; divers other have been called together and required to be at the hat day, some have promised, as Carsels, Mongoseton, Cathness. Others have refused, as Fleming, ston, Lindsay, Huntly and Bothel; and of them all ill is the stoutest, but worst thought of; it was in council that mass should have been in St Giles, which I believe was rather to tempt men's minds, intended indeed: She was of late minded again to send Robert Melvin to negotiate with such as she trusteth against the queen's majesty's subjects, of whose good will this way I trust that the bruit is greater than the rest; but in these matters her majesty is too wise not to be ware, and provide for the worst; some in the country are thought to be privie unto the bands and practices of which I have written, whereof I am sure of some things, tho' perchance of all I have not heard; in this court divers quarrels, contentions, and nothing so much sought as to maintain mischief and disorder. David yet retaineth still his place, not without heart grief to many, that see their sovereign guided by such a fellow; the queen hath utterly refused any good to my lord of Argyll, and it is said that the first voyage that she will make after she is delivered of being with child; the bruit is common that she hardly believed of many, and of this, I can assure you there have of late appeared some tokens to the

## No. XV. (Vol. II. p. 11. 14.)

Part of a letter from the Earl of Bedford  
Mr Tho. Randolph to the lords of the co  
of England from Barwick, 27th of March ]  
An original in the Cotton. Library, Cal  
b. 10. fol. 372.

[27th March 1566.]

*May it please your Honours,*

HEARING of so many matters as we do, and fy  
such varietie in the reports, we have myche ado to d  
the veritie; which maketh us the slower and loo  
put any thing in wryting to the entente we would m  
your honours, and by you the queen's majestie, ou  
reigne, should not be advertised but of the verie tro  
we can possible. To this end we thought good to a  
captain Carewe, who was in Edinboure at the time  
last attemptate, who spoke there with diverse, an  
that with the queen's self and her husband confor  
that, which we have learned by others and know  
reporte, we send the same, confirmed by the partie  
that were there present and assysters unto these tha  
executors of the acte.

This we fynde for certain, that the queen's husba  
ing entered into a vehement suspicion of David, t  
hym some thyng was committed, which was most ag  
the queen's honour, and not to be borne of his perte,  
communicated his mynde to George Duglas, who f  
his sorrows so great sought all the meanes he coule  
some remedie to his grieff; and communicating th  
unto my lord Ruthven by the king's commandme  
other waye coule be found then that David should b  
out of the waye. Wherein he was so earnest and  
pressed the same, that no reste could be had untill  
put in execution. To this that was found good, th  
lord Morfon, and lord Lindsaye should be made p  
th' entente that theie might have their friends at ha  
meade required; which caused them to essemble so

theie thought sufficient against the tyme, that this demination of theirs should be put in executioun; which was determined the ixth of this instante 3 daies afore the rliament should begyne, at which tyme the sayde lords were assured that the erles Argyle, Morraye, Rothes and sir complices sholde have been forfeited, yf the king wuld not be perswaded through this means to be their ends; who for the desyre he had that this intent should be effect th' one waye was content to yield, without all facultie to t'other, with this condition, that theie should have their consents, that he might have the crown matrimonial. He was so impatient to see these things he saw, if wete daylye brought to his eares, that he dayly pressed the said lord Ruthen, that there might be no longer delay: and to the intente that myght manifest unto the world, that he approved the acte, was content to be at the doing of that himself.

Upon Saturday at night neire unto VIII of the clock the king conveyeth himself, the lord Ruthen, George Duglass, and two others, throwe his own chamber by the privy styers up to the queen's chamber going to which there is a cabinet about XII foot square; in the same a little low posting bed and a table, at the which they were sitting to supper the queene, the lady Argyle, and David with his app upon his head. Into the cabinet there cometh in the king and lord Ruthen, who willed David to come forth, saying that was no place for him. The queen said, that was her will. Her howsband answerede, that yt was against her honour. The lord Ruthen said, that he should the better his deutie, and offering to have taken him by the arm, David took the queen by the blychtes of her own and put himself behind the queen who wolde gladly have saved him: but the king having loosed his hand, and holding her in his arms, David was thrust out of the cabinet throw the bed chamber into the chamber of prebends, whar were the lord Morton, lord Lindsey, who intending that night to have reserved hym, and the next day to hang him, so many being about him, that bore him evil will, one thrust him into the boddie with a dagger, and after him a great many others, so that he had in his bodie above wonds. It is told for certayne, that the king's



own dagger was left sticking in him. Wheath him or not we cannot be here certayn. He was in the queen's presens, as was said, but going stayers out of the chamber of presens.

There remained a long tyme with the queen band and the lord Ruthen. She made, as we intercession, that he shold have no harm. & greatlee her howsband that was the actor of so. It is said, that he did answer, that David had panie of her boddie than he for the space of ty and therefore for her honour and his own cont gave his consent that he should be taken aw: "not" (saythe she) "the woman's part to se band," and therefore in that the fault was his said that when he came, she either wold not or self sick. "Well," saythe she, "you have last of me and your farewell." Then were the lord Ruthen, he is your majesty's husban yield dutie to each other. "Why may I not," "leave him as well as your wife did her husban have done the like. The lord Ruthen said th lawfully divorced from her husband, and for no as the king found himself greve. Besydes th mean, basse, encmie to the nobility, shame to l struction to herself and country. "Well," "that shall be dear blude to some of you, yf hi God forbid, sayth the lord Ruthen; for the grace showe yourself offended, the world wil worree.

Her husband this tyme speaketh litle, herself weepeth. The lord Ruthen being ill at ease calleth for a drink, and saythe, "This I mu "your majesties pardon," and persuadeth her sort he could, that she would pacify herself. N could be said could please her.

In this mean time there rose a number in to pacify which there went down the lord Ru went strait to the erles Huntly, Bothwell and quiet them, and to assure them from the king t was intend against them. These notwithstanding ear, when theie heard that my lord Murray w

on next day, and Argile meet them, Huntly and Bothwell oth get out of a window and so depart. Atholl had leave of the king with Flysh and Glandores (who was lately called Doyaley the person of Owng) to go where they wold, not bring concorde out of the court by the lord of Lidingm. These went that night to such places where they sought themselves in most saultie.

Before the king least talk with the queen, in the hering of the lord Ruthen she was content that he should lie with her that night. We know not how he \* \* himself, but came at as her, and excused hymself to his friends, that he was no sleepie, that he could not wake in due season.

There were in this companie two that came in with the king; the one Andrewe Car of Fawdenside, whom the queen sayth would have stroken her with a dagger, and one Patrick Balenline, brother to the justice clerk, who also her grace sayth, offered a dag against her belly with the cock down. We have been earnestly in hand with the lord Ruthen to know the varitie; but he assureth us of the contrarie. There were in the queen's chamber the lord Robert, Arthur Arskin, one or two others. They at the first offering to make a defence, the lord Ruthen drawd his dagger, and 4 mo weapons then, that were not drawn nor seen in her presens, as we are by this lord assured.

[The letter afterwards gives an account of the flight to Dunbar Castle, whither resorted the lords Huntly and Bothwell: That the earl of Morton and lord Ruthven find themselves left by the king for all his fair promises, bonds, and subscriptions. That he had protested before the council, that he was never consenting to the death of David, and that it is sore against his will. "That of the great substance David had there is much spoken, some say in gold to the value of 11<sup>m</sup>£. His apparel was very good, as it is said, 28 pair of velvet hose. His chamber well furnished, armour, dagger, pysteletts, harquebuses, 22 swords. Of all this nothing spoyled or lacked saving 2 or 3 daggers. He had the custody of all the queen's letters, which all were delivered unlooked upon. We hear of a jaill, that he had hanging about his neck of some price, that cannot be heard of. He had upon his back, when he was slain, a night gown of damaask furred, with a *spotten doublet, a hose of russet velvet.*"]

## No. XVI. (Vol. II. p. 23.)

Part of a letter from Randolph to Cecil, J  
1565-6.

— I CANNOT tell what misliking of late the  
been between her grace and her husband, he pres-  
nestly for the matrimonial crown, which she is loth  
to grant; but willing to keep somewhat in store, I  
know how well he is worth to enjoy such a sove-  
and therefore it is thought that the parliament for  
shall be deferred, but hereof I can write no certain

From Mr Randolph's letter to Secretary

[4 April 1566. Paper-office, from the original

THE justice-clerk in hard terms, more for his  
cause than any desert, and as far as I can hear the  
all other in worst, for neither hath the queen good  
of him for attempting of any thing that was ag-  
will, nor the people that he hath denied so manifes-  
ter, being proved to be done by his commandme-  
now himself to be the accuser and pursuer of th-  
did as he willed them. This Scott, that was e-  
and Murray that was yesterday arraigned, were  
cused by him. It is written to me, for certain,  
that upon Monday last epoke with the queen, th-  
determined that the house of Lennox shall be as  
Scotland as ever it was. The earl continueth si-  
troubled in mind; he staith in the abby, his son be-  
once with him, and he once with the queen, si-  
came to the castle. The queen hath now seen all  
venants and bands that passeth between the king  
lords, and now findeth that his declaration, before  
council, of his innocency of the death of David wa-  
and grievously offended that, by their means, he  
seek to come to the crown matrimonial.

art of a letter from Randolph to Cecil, from  
Berwick, 25 April, 1566.

—THERE is continually very much speech of the discord between the queen and her husband. so for that, that commonly said and believed of himself, that Mr James Mornton is gone to Rome to sue for a divorce between them. It is very certain that Malevasier had not spoken to him within these three days. He is neither accompanied nor looked upon of any nobleman: attended upon by retain of his own servants, and six or seven of the guard; liberty to do, and go where and what he will, they have hope yet among themselves of quietness.

—David's brother named Joseph, who came this way with Malevasier, unknown to any man here, is become secretary in his brother's place.

No. XVII. (Vol. II. p. 27.)

the Earl of Bedford to Cecil, 3d August 1566.

THE queen and her husband agree after the old manner, rather worse. She eateth but very seldom with him, with not, nor keepeth company with him, nor loveth any such as love him. He is so far out of her books, as at her going out of the castle of Edinburgh, to remove abroad, he saw nothing therereof. It cannot for modesty, nor with the honour of a queen, be reported what she said of him, as Hickman, an English merchant there, having a water-angel which was very good, gave him to Mr James Melville, who afterwards, for the pleasure, which he saw they might have in such kind of dogs, gave him to the king. The queen thereupon fell marvellously out with Melville, and called him dissembler and flatterer, and said she could not trust one who would give any thing to such one as she hated not.

### The Earl of Bedford to Cecil, Aug. 8.

THE disagreement between the queen and her husband continueth, or rather increaseth. Robert Melvill drawing homewards, within twelve miles of Edinburgh, could not tell where to find the queen; sith which time she is come to Edinburgh, and had not twelve horses attending on her. There was not then, nor that I can hear of since, any lord baron, or other noblemen in her company. The king her husband is gone to Dumfermling, and passeth his time as well as he may; having at his farewell, such countenance as would make a husband heavy at the heart.

### Sir John Forster to Cecil, 8 Sept. from Berwick.

THE queen hath her husband in small estimation, and the earl of Lennox came not in the queen's sight since the death of Davy.

### Sir John Forster to Cecil. 11th Dec.

THE Earl of Bothwell is appointed to receive the ambassadors, and all things for the christening are at his lordship's appointment, and the same is scarcely well liked of the nobility, as is said. The king and queen is presently at Craigmillar, but in little greater familiarity than he was all the while past.

### Advertisements out of Scotland from the Earl of Bedford.

[August 1566. Paper-office, from the original.]

THAT the king and queen agreed well together two days after her coming from ———, and after my lord of Murray's coming to Edinburgh, some new discord has happened. The queen had declared to my lord of Murray that the king bears him evil will, and has said to her that he is determined to kill him, finding fault that she doth bear him so much company; and in like manner hath willed my lord of Murray to spiere the king, which he did a few

since in the queen's presence, and in the hearing of

The king confessed that reports were made to him, my lord of Murray was not his friend, which made me speak that thing he repented; and the queen affirmed, the king had spoken such words unto her, and confessed before the whole house, that she could not be content either he or any other should be unfriend to my lord Murray. My lord of Murray enquired the same, and used his speech very modestly, in the mean while the king departed very grieved: he cannot bear that any man should use familiarity either with man or woman, especially the ladies of Arguile, Murray, and Marre, to keep most company with her. My lord of Murray thoughtwell have been at evil words for the lord of Ledingburgh before the queen, for he and sir James Balfoure had come from Ledington, with his answer upon such of articles as Bothwell and he should agree upon, being reported to the said earl in the queen's presence to answer, that ere he parted with such lands as was his, he should part with his life. My lord of Murray said outly to him, that twenty as honest men as he should lose their lives ere he reasste Ledington. The queen spake to him, but heard both; in these terms they parted, and that I hear of, have not met. The queen after her coming came to Edinburgh, and carryeth the prince thence living with her. This last Saturday was executed a servant of the lord Ruthven's, who confessed that he was in the cabinet, but not of council of the fact. The queen also opened to my lord of Murray, that money was come from the pope, how much it was, and by whom, and what purpose it was brought,

## No. XVIII. (Vol. II. p. 42.)

**Part of a letter from Elizabeth to Mary, Fe  
1569. A copy interlined by Cecil. It  
contains an answer to a complaining letter  
Mary's upon the imprisonment of the Earl  
of Ross.**

—AFTER this [i. e. Mary's landing in Scotland] patiently did I bear with many vain delays in notting the treaty accorded by your own commissioners, w<sup>ch</sup> I received no small unkindness, besides the manifold of suspicion that I might not hereafter trust to any w<sup>ch</sup>. Then followed a hard manner of dealing with me, to my subject and near kinsman, the lord Darnley, unto four of private suits for land, to come into the real proceed in treaty of marriage with him without my ledge, yea to conclude the same without my assenting. And how many unkind parts accompanied that by receiving of my subjects that were base runnegat offenders at home, and enchancing them to places of against my will, with many such like, I will leave to the remembrance of the same cannot but be noysed you. And yet all these did I as it were suppress and come with my natural inclination of love towards you did afterwards gladly, as you know, christen your so child of my said kinsman, that had before so unloyal fended me, both in marriage of you, and in other un-usages towards me his sovereign. How friendly also I by messengers to reconcile him, being your husband, to when others nourished discord betwixt you, who as it ed had more power to work their purposes, being e you both, than I had to do you good, in respect of th I had received. Well I will overpass your hard acc that followed for lack of following my council. And in your most extremity, when you was a prisoner in and in danger of your life from your notorious evil w how far from my mind was the remembrance of ar kindness you had shewed me. Nay how void was I

spect to the designs which the world had seen attempted by you to my crown, and the security that might have ensued to my state by your death, when I finding your calamity to be great, that you were at the pit's brink to have miserably lost your life, did not only intreat for your life, but so threatened some as were irritated against you, that I only may say it, even I was the principal cause to save your life,

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No. XIX, (Vol. II. p. 61.)

Letter of Q. Elizabeth to Q. of Scots. Thus marked on the back with Cecil's hand.—*Copia Literarum Regiæ Majestatis ad Reginam Scottorum. VIII<sup>o</sup> Aprilis.*

[Paper office.]

MADAME, vous ayant trop molesté par M. de Crocq, je n'eusse eu si peu de consideration de vous fascher de cette lettre, si les liens de charité vers les ruinez, et les priere des miserables ne m'y contraignassent. Je entens que un edit a esté divulgé de par vous, madame, que ung chascun, que veult justifier que ons esté les meurtriers de votre seu mari, et mon seu cousin, viennent a le faire le xii<sup>me</sup> de ce mois. La quelle chose, comme c'est plus honorable et necessaire, qui en tel cas se pourra faire, ne y estant caché quelque mistere ou finesse, ainsi le pere et amis du mort gentelhomme m'ont humblement requis, que je vous priasse de prolongue le jour, pource qu'ilz cognoissent que les iniques se sont combinés par force de faire ceque par droict ils ne pourront pas faire; partant, je ne puis mais sinon pour l'amour de vous meme, a qui il touche le plus, et pour la consolation des innocens. de vous exhorter le leur conceder cette requeste, laquelle, si elle les seroit nié, vous tourneroit grandement en soupçon, de plus que j'espere ne pensez, et que ne vouldr ez volontiers ouyr. Pour l'amour de Dieu, madame, usez de telle sincerité & prudence en ce cas que vos touche de si pres, que tout le monde aye



raison, de vous livrer comme innocent d'ung crime si enorme, chose que si ne sistes, seriez dignement esbloÿé hors de rancz de princesses, & non sans cause saite opprobre de vulgaire, et plutot que cela vous avienne, je vous souhaiterois une sepulture honorable, qu'une vie maculée; vous voiez madame, que je vous traite comme ma fille, et vous promets, que si j'en eusse, ne luy souhaiterots mieulx, que je vous desire, comme le Seigneur Dieu me porte tesmoignage, a qui je prie de bon cœur de vous inspirer a faire ce qui vous sera plus a honneur, et a vos amis plus de consolation, avec mes tres cordiales recommandations comme a icelle a qui se souhaite le plus de bien, qui vous pourra en ce monde avenir. De West. ce 8 jour de Janvier<sup>b</sup> et haste.

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No. XX. (Vol. II. p. 75.)

Account of the sentence of divorce between the Earl of Bothwell and Lady Jean Gordon his wife. From a manuscript belonging to Mr David Falconer, advocate. Fol. 455.

Upon the 29 of Apryle 1567, before the richt hon. Mr Robert Maitland dean of Aberdene, Mr Edward Henryson doctor in the laws, two of the senators of the college of justice, Mr Clement Little, and Mr Alexander Syme advocates, commissers of Edn<sup>r</sup>; compeered Mr Henry Kinross, procurator for Jean Gourdoune countess of Bothwell, constitute be her for pursewing of ane process of divorcement intendit by her contra James erle Bothwel her husband for adultry, committed be him with Bessie Crawford the pursuers servant for the time; and sicklyke, for the said erle, compeared Mr Edmond Hay, who efter he had pursued and craved the pursuer's procurator's oath de calumniis, if he had just caus to pursew the said action, and obtained it, denyed the libell, and the said Mr Harrie took

<sup>b</sup> A mistake in the date corrected by Cecil's own hand VIII<sup>o</sup> Aprilis.

is morne, the last day of Apryle, to prove the same prima. The quhilk day, having produced some witnesses, he took the next day, being the 1 of May, to do farther diligence. Upon the quhilk 1 of May, he produced some more witnesses, and renounced, farther probatioune. After quhilk, he desired a term to be assigned to pronounce sentence. To whom the said commissars assigned Satterday next, the 3d of May, to pronounce sentence therein, secundum allegata et probata, quhilk accordingly was given that day in favour of the pursewar.

At the same time there was another process intendit be the erle of Bothwell contra his lady, for to have their marriage declared null, as being contracted against the canons, without a dispensation, and he and his lady being within legress defendand, viz. ferdis a kin, and that wyse for extending of this proces, there was a commissioun granted to the archbishop of St Androis to cognosce and determine it, and Ro<sup>t</sup> bishop of Dunkeld, William bishop of Dunblane, Mr Andro Craufurd chanon in Glasgow, and parson of Egelshame, Mr Alexander Creichtoun, and Mr George Cooke chancellor of Dunkeld, and to Mr John Manderstoun chanon in Dunbar and prebendar of Beltoune, or any one of them. This commissioun is datit 27 Aprile, 1567, was presented to two of the saids commissioners, viz. Mr And<sup>r</sup> Craufurd and Mr John Manderstoun on Satterday 3 May, by Mr Thomas Hepburne parson of Auldhamstocks, procurator for the erle of Bothwell, who accepted the delegatioun, and gave out their citation by precept, directed, Decano Christianitatis de Hadingtone, nec non vicario seu curato eccle. parochie de Creichtoun, seu cuicunq; alteri cappellano debiti requisitis, for summoning, at the said erles instance, both of the lady personally if she could be had, or otherways at the parosche kerk of Creichtoun the time of service, or at her dwelling place before witnesses, primo, secundo, tertio et peremptorie, unico tamen contextu protuplice edicto. And likewise to be witnesses in the said matter, Alex. bishop of Galloway, who did marry the said erle and his lady, in Halerad-house kirk, in Feb. 1565, sir John Bannatyne of Auchnoul justice clerk, Mr Robert Creichtoun of Ellik the queen's advocate, Mr David Chalmers provost of Chreichton and

chancellor of Ross, Michael — abbot of Melroes, and to compear before the said judges or any one of them in St Geills kirk in Ed<sup>r</sup> on Monday the 5 of May, be themselves, or their procurators. Upon the said 5 day, Mr John Manderstoune, one of the judges delegat, only being present, compeared the same procurators for both the parties that were in the former proces, Mr Edmund Hay (articulatie

\*) and some of the witnesses summond produced, and received for proving of the same. The said procurator renounced farder probatioune, and the judge assigned the morne, the 6th of May, ad publicandum producta, nempe depositiones ipsorum testium. The quhilk day, post publicatas depositiones prædictas, Mr Hen. Kinrosse, procurator for the lady instanter objecit objectiones juris generaliter, contra producta, insuper renunciavit ulteriori defensionì; proinde conclusa de consensu procuratorum hinc inde causa, judex prædictus statuit crastinum diem pro termina, ad pronuntiandam suam sententiam definitivam, ex deductis coram eo. in præsentì causa et processu. Conform hereunto, on Wednesday the 7th of May, the said judge gave out his sentence in favour of the erle, declaring the marriage to be, and to have been null from the beginning, in respect of their contingence in blood, which hindered their lawful marriage without a dispensation obtained of befoir.

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### No. XXI. (Vol. II. p. 79.)

A letter from England concerning the murder of  
King Henry Darnley.

[E. of Morton's archives. Bundle B. No. 25.]

HAVING the commodity of this bearer Mr Clark, I tho't good to write a few words unto you. I have rec<sup>d</sup> some writs from you; and some I have seen lately sent to others from you, as namely to the earl of Bedford of the 16th of May. I have participat the contents thereof to such as I

\* Two words in the parenthesis illegible.

ought meet, this mekle I can assure you; the intelligence given hither by the French was untrue, for there was one papist or protestant which did not consent that justice should be done, be the queen my sov<sup>ty</sup> aid and support, against such as had committed that abominable ill order in your country; but to say truth, the lack and dwees did not rise from such as were called to council, from such as should give life and execution thereunto, and further, I assure you, I never knew no matter of estate proponed which had so many favourers of all sorts of opinions as this had: yea, I can say unto you, no man protested the matter with greater affection, than the Spanish bassador. And sure I am that no man dare openly be any other mind, but to affirm that whosoever is guilty this murder handfasted with advoutre, is unworthy to live. I shall not need to tell you, which be our letts, and yes from all good things here. You are acquainted with me as well as I. Needs I must confess, that howsoever omit occasions of benefit, honour, and surety; it beeth your whole nobility, and namely such as before the murder were deemed to allow of Bodwell, to execute with sword and justice the punishment of those minable acts, though we lend you but a cold aid, and sit you, and divers others, both honourable and honest, well known to me, and sundry others here, to be justlike in all their actions and doings; yet think not the contrary but your whole nation is blemished and infamited these doings which lately passed among you. What we will do I know not, neither do I write unto you assuredly, we be subject unto many mutations, and yet I think shall either aid you, or continue in the defence and safeguard of your prince, so as it appear to us that you mean safeguard indeed, and not to run the fortune of France, which will be your own destruction, if you be unadvised. Now not one, no not one of any quality or estate in this ntry, which does allow of the queen your sovereign, but would gladly the world were rid of her, so as the same were done without farther slander, that is to say by ordinary justice. This I send the 23d of May.

## No. XXII. (Vol. II. p. 87.)

Part of a letter from Sir Nicolas Throckmorton to Cecil, 11th of July 1567, from Berwick.

[An Original. Paper-office.]

—SIR, your letter of the 6th of July, I received the 10th at Berwick. I am sorry to see that the queen's majesty's disposition altereth not towards the lords, for when all is done, it is they which must stand her more in stead, than the queen her cousin, and will be better instruments to work some benefit and quietness to her majesty and her realm, than the queen of Scotland which is void of good fame.

A letter from Sir Nicolas Throckmorton to Cecil, from Fastcastle, 12th of July 1567.

[Paper-office.]

SIR, as you might perceive by my letter of the 11th July, I lodged at Fastcastle that night, accompanied with the lord Hume, the lord of Ledington, and James Melvin, where I was intreated very well, according to the state of that place, which is fitter to lodge prisoners than folks at libertie, as it is very little, so it is very strong. By the conference I have had with the lord of Ledington, I find the lords his associates and he hath left nothing unthought of, which may either to thir danger, or work them surety, wherein they do not forget what good and harme France may do them, and likewise they consider the same of England; but as farr as I can perceive, to be plain with yow, they find more peril to grow unto them through the queen's majesty's dealing than either they do by the French, or by any contrary faction amongst themselves, for they assure themselves the queen will leave them in the bryers if they run her fortoun, and though they do acknowledge great benefit as well to them as to the realm of England by her majesty's doings at Leith, whereof they say mutually her

najesty and both the realms have received great fruit : yet upon other accidents which have chanced since, they have observed such things in her majesty's doings, as have ended o the danger of such as she hath dealt withal, to the overthrow of your own designments, and little to the surety of ny party : and upon these considerations and discourses at length, methinketh I find a disposition in them, that either hey mind to make their bargain with France, or else to deal neither with France nor yow, but to do what they hall think meet for their state and surety, and to use their remedy as occasions shall move them ; meaning neither o irritate France nor England, until such time as they ave made their bargain assuredly with one of yow : for hey think it convenient to proceed with yow both for a while *pari passu*, for that was my lord of Ledington's erms. I do perceive they take the matter very unkindly, hat no better answer is made to the letter, which the lords lid send to her majesty, and likewise that they hear nothing from yow to their satisfaction. I have answered as well as I can, and have alledged their own proceedings so securely with the queen, and their uncertainty hath occasioned this that is yet happened, and therefore her majesty hath sent me to the end I may inform her throughly of the state of the matters, and upon the declaration of their minds and intents to such purposes as shall be by me proposed on her majesty's behalf unto them, they shall be reasonably and resolutely answered. At these things the ord of Ledington smiled and shook his head, and said it were better for us yow would let us alone, than neither to lo us nor yourselves good, as I fear me in the end that will prove ; & if there be any truth in Ledington, le Crocq is gone to procure Rambollet his coming hither or a man of like quality, and to deliver them of their queen for ever, who shall lead her life in France in an abbey reclused, the prince at the French devotion, the realm governed by a council of their election of the Scottish nation, the forts committed to the custody of such as shall be chosen amongst themselves, as yet I find no great likelihood that I shall ave access to the queen, it is objected they may not so displease the French king, unless they were sure to find he queen of England a good friend ; and when they once

by my access to the queen have offended the French, then they say yow will make your profit thereof to their undoing; and as to the queen's liberty, which was the first head that I proposed, they said that thereby they did perceive that the queen wants their undoing, for as for the rest of the matters it was but folly to talk of them, the liberty going before; but said they, if you will do us no good, do us no harm, and we will provide for ourselves. In the end they said, we should refuse our own commodity, before they concluded with any other, which I should hear of at my coming to Edin<sup>r</sup>; by my next I hope to send you the band concluded by Hamiltons, Argyll, Huntly, and that faction, not so much to the prejudice of the lords of Edin<sup>r</sup>, as that which was sent into France; thus having no more leisure, but compelled to leap on horseback with the lords to go to Edin<sup>r</sup>, I humbly take my leave of from Fastcastle the 12th of July 1567.

To Sir Nicolas Throkmorton, being in Scotland.  
By the Queen, the 14th July 1567.

TRUSTY and well beloved we greet you well, though we think that the causes will often change upon variety of accidents, yet we think for sundry respects, not amiss, that as you shall deal with the lords having charge of the young prince for the committing of him into our realm, so shall yow also do well, in treaty with the queen, to offer her that where her realm appeareth to be subject to sundry troubles from time to time, and thereby (as it is manifest) her son cannot be free, if she shall be contented that her son may enjoy surety and quietness, within this our realm, being so near as she knows it is; we shall not faill to yield her as good surety therein for her child, as can be devised for any that might be our child born of our own body, and shall be glad to shew to her therein the trew effect of nature; and herein she may be by yow remembered how much good may ensue to her son to be nourished and acquainted with our country; and therefore all things considered, this occasion for her child were rather to be sought *by her and the friends of him, than offered by us; and to*

this end, we mean that yow shall so deal with her, both to stay her indeed from inclining to the French practice, which is to us notorious, to convey her and the prince into France, and also to avoid any just offence, that she might hereafter conceive, if she should hear that we should deal with the lords for the prince.

Sir Nicolas Throckmorton to Queen Elizabeth,  
14th July 1567, from Edinburgh.

[An Original. Paper-office.]

IT may please your majesty to be advertized, I did signify unto Mr Secretary by my letters of the 11th and 12th of July, the day of mine entry into Scotland, the causes of my stay, my lodging at Fastcastle, a place of the lord Hume's, where I was met by the said lord and by the lord Lidington, and what had passed in conference betwixt us, whilst I was at the said Fastcastle. Since which time, accompanied with the lords aforesaid, and with 400 horses by their appointment for my better conduct, I came to Edin' the 12th of this present. The 13th being Sunday appointed for a solemn communion in this town, and also a solemn fast being published, I could not have conference with the lords which be assembled within this town as I desired, that is to say the earls of Athole, and Morton, the lord Hume, the lord of Lidington, sir James Balfour captain of the castle, Mr James McGill, and the president of the session.

Nevertheless I made means by the lord of Lidington that they would use no protracte of time in mine audience, so did I likewise to the earle of Morton, whom I met by chance; I was answered by them both, that albeit the day were destined to sacred exercises, such as were there of the council would consult upon any moyen touching my access unto them and my conference with them, and said also, that in the afternoon either they would come to me, or I should hear from them. About 4 of the clock in the afternoon, the said 13th day, the lord of Lidington came to my lodgings, and declared unto me on the behalf of the lords and



others, that they required me to have patience, though they had deferred my conference with them, which was grounded principally upon the absence of the earles of Mar and Glencairn, the lords Semple, Crichton, and others of the council, saying also that they did consider the matters which I was on your behalf to treat with them of, were of great importance, as they could not satisfy nor conveniently treat with me, nor give me answer without the advice of the lords, and others their associates; the lord of Lidington also said unto me, that where he perceived, by his private conference with me in my journey hitherwards, that I pressed greatly to have speedy access to the queen their sovereign, he perceived, by the lords and others which were here, that in that matter there was great difficulty for many respects, but specially because they had refused to the French ambassador the like access, which being granted unto me, might greatly offend the French, a matter which they desired and intended to eschew; for they did not find by your majesty's dealings with them hitherto, that it behoved them to irritate the French king, and to lose his favour and good intelligence with him: I answered, that as to their refusal made unto the French ambassador, monsieur de Ville Roye was dispatched forth of France before these accidents here happened, and his special errand was to impeach the queen's marriage with the earle of Bothel (for so indeed since my coming hither I learned his commission tended to that end, and to make offer to the queen of another marriage), and as to monsieur de Crocq, he could have no order forth of France concerning these matters, since they happened; and therefore they might very well hold them suspected to have conference with the queen, least they might treat of matters in this time without instructions, and so rather do harm than good; but your majesty being advertised of all things which had chanced, had sent me hither to treat with them, for the well of the realm, for the conservation of their honours and credit, and for their surety; and I might boldly say unto him, that your majesty had better deserved than the French had. He said, for his own part, he was much bound unto your majesty, and had always found great favour and courtesy in England; but to be plain with you, sir, sayed he, there is

not many of this assembly that have found so grent obligation at the queen your sovereign's hands, as at the French king's, for the earles of Morton and Glencairn be the only persons which took benefit by the queen's majesty's aid at Leith, the rest of the noblemen were not in the action; and we think, said he, the queen's majesty your sovereign, by the opinion of her own council, and all the world, took as great benefit by that charge as the realm of Scotland, or any particular person; and not to talk with yow as an ambassador, but with sir Nicolas Throckmorton, my lord Morton, and such as were in pain for the death of Davie, found but cold favour of the queen's majesty's hands, when they were banished forth of their own country; but I would all our whole company were as well willing to accomplish the queen your sovereign's intents and desires as I am; for mine own part, I am but one, and that of the meanest sort, and they be many noblemen and such as have great interest in the matter, mary yow shall be assured I will employ myself to employ my credit, and all that I may do, to satisfie the queen your mistress, as much as lyeth in me, and for your own part you have a great many friends in this assembly, with many other good words. But for conclusion I must take this for an answer to stay until the other lords were come, and thereupon I thought meet to advertize your majesty what hath passed, and how far forth I have proceeded; your expectation being great to hear from hence.

And now to advertize your majesty of the state of all things, as I have learned since my coming hither, it may please your majesty to understand as followeth:

The queen of Scotland remaineth in good health in the castle of Lochleven, guarded by the lord Lindsay and Lochleven the owner of the house; for the lord Ruthven is employed in another commission, because he began to show great favour to the queen, and to give her intelligence. She is waited on with 5 or 6 ladys, 4 or 5 gentlewomen, and 2 chamberers, whereof one is a French woman. The earle of Buchan, the earle of Murray's brother, hath also liberty to come to her at his pleasure; the lords aforesaid, which have her in guard, doe keep her very straitly, and as far as I can perceive, their rigour proceedeth by their

order from these men, because that the queen will not by any means be induced to lend her authority to prosecute the murder, nor will not consent by any perswasion to abandon the lord Bothell for her husband, but avoweth constantly that she will live and die with him; and saith that if it were put to her choice to relinquish her crown and kingdom, or the lord Bothell, she would leave her kingdom and dignity, to go as a simple damsell with him, and that she will never consent that he shall fare worse or have more harm than herself.

And as far as I can perceive, the principal cause of her detention is, for that these lords do see the queen being of so fervent affection towards the earle Bothell as she is, and being put at, as they should be compelled to be in continual arms, and to have occasion of many battles, he being with manifest evidence notoriously detected to be the principal murderer, and the lords meaning prosecution of justice against him according to his merits.

The lords mean also a divorce betwixt the queen and him, as a marriage not to be suffered for many respects, which separation cannot take place if the queen be at liberty, and have power in her hands.

They do not also forget their own perill, conjoined with the danger of the prince, but as far as I can perceive, they intend not either to touch the queen in surety or in honor, for they do speak of her with respect and reverence, and do affirm, as I do learn, that the conditions aforesaid accomplished, they will both put her to liberty, and restore her to her estate.

These lords have for the guard of their town 450 harqubushers which be in every good order, for the entertainment of which company, until all matters be compounded, they did sue unto your majesty, to aid them with such sum of money as hath been mentioned to Mr Secretary by the lord of Lydington's writing, amounting as I perceive to ten or twelve thousand crowns of the

They were lately advertized that the French king doth mind to send hither monsieur de la Chapell des Ursine, a knight of the French order, and always well affectionate to the house of Guyse, and howsoever la Forest, Villaroy, and du Crocq have used language in the queen's favour and

to these lords disadvantage there, to your majesty ; le Crocq doth carry with him such matter as shall be little to the queen's advantage ; so as it is thought the French king, upon his coming to his presence, will rather satisfie the lords, than pleasure the queen ; for they have their party so well made, as the French will rather make their profit by them, than any other way.

Herewith I send your majesty the last bond agreed on, and signed by the Hamiltons, the earl of Argyll, Huntly, and sundry others at Dunbarton.

Nevertheless, since my coming to this town, the Hamiltons have sent unto me a gentleman of their surname named Robert Hamilton, with a letter from the bishop of St Andrews and the abbot of Arbroth, the copy whereof I send your majesty and mine answer unto them, referring to the bearer the declaration of some things, as these did by him unto me.

The earle of Argyll hath, in like manner, sent another unto me with a letter and credit, I have used him as I did the others, the copy of both which letters I send your majesty also. The lord Harrys hath also sent unto me but not written, and I have returned unto him in like sort.

Against the 20th day of this month there is a general assembly of all the churches, shires, and boroughs towns of this realm, namely of such as be contented to repair to these lords to this town, where it is thought the whole state of this matter will be handeled, and I fear me much to the queen's disadvantage and danger ; unless the lord of Lidington and some others which be best affected unto her do provide some remedy ; for I perceave the great number, and in manner all, but chiefly the common people, which have assisted in these doings, do greatly dishonour the queen, and mind seriously either her deprivation, or her destruction ; I used the best means I can (considering the furie of the world here) to prorogue this assembly, for that appeareth to me to be the best remedy : I may not speak of dissolution of it, for that may not be abiden, and I should thereby bring myself into great hatred and peril. The chiefest of the lords which be here present at this time dare not show so much lenity to the queen as I think they could be contented, for fear of the rage of the people. The

women be most furious and impudent against the queen, and yet the men be mad enough; so as a stranger over busie may soon be made a sacrifice amongst them.

There was a great bruit that the Hamiltons with their adherents would put their force into the fields against the 24th of this month, but I do not find that intent so true, as the common bruit goeth.

The earle of Argyll is in the Highlands, where there is trouble among his own countrymen.

The earle of Lennox is by these lords much desired here, and I do believe your majesty may so use him, and direct him, as he shall be able to promote your purpose with these men.

The earle of Argyll, the Hamiltons and he be incompatible.—I do find amongst the Hamiltons, Argyll and the company two strange and sundry humours.

Hamiltons do make show of the liberty of the queen, and prosecute that with great earnestness, because they would have these lords destroy her, rather than she should be recovered from them by violence; another time they seem to desire her liberty and Bothwell's destruction, because they would compass a marriage betwixt the queen and the lord of Arbroth.

The earle of Argyll doth affect her liberty, and Bothwell's destruction, because he would marry the queen to his brother.

And yet neither of them, notwithstanding their open concurrence (as appeareth by their bond), doth discover their minds to each other, nor mind one end; Knox is not here, but in the west parts, he and the rest of the ministers will be here at the great assembly, whose austerity against the queen I fear as much as any man's.

By some conference which I had with some of his council, me thinketh that they have intelligence that there is a disposition in the queen of Scotland to leave this realm, and to retire herself into either England or into France, but most willingly into England, for such ——— and mislikings as she knoweth hath been, and is meant unto her in France, leaving the regiment either to a number of persons deleagued, and authorized by her, or to some one or more.

And it please your majesty, I think it not amiss to put

in remembrance, that in case the said queen come into  
 gland by your allowance, without the French king's con-  
 t, she shall loose her dowery in France, and have little  
 othing from hence to entertain her : and in case she do  
 nto France with the king's contentment, she may be an  
 rument (if she can recover favour, as time will help to  
 cell her disgrace) either by matching with some hus-  
 d of good quality, or by some other devise, to work new  
 quietness to her own country, and so consequently to  
 ur majesty's.

Therefore it may please your majesty to consider of this  
 tter, and to let me know your pleasure with convenient  
 ed, how I shall answer the same, if it be propounded  
 o me, either by the queen or by the councill, as a piece  
 the end and composition. For I am sure, of late, she  
 h seemed very desirous to have the matter brought to  
 s that she might go into England, retaining her estate  
 l jurisdiction in herself, though she do not exercise it ;  
 I likewise I understand that some of this council which  
 least affected to her safety do think there is no other  
 y to save her. Thus Almighty God preserve your ma-  
 ty in health, honour, and all felicity ; at Edin<sup>r</sup> the 14th  
 ly 1567.

of Nicolas Throkmorton to queen Elizabeth, the  
 18th of July 1567. From Edinburgh.

[An Original. Paper-office.]

IT may please your majesty, yow might perceave by my  
 ters of the 16th, how far I had proceeded with these  
 ds, and what was their answer ; since which time I have  
 oken particularly with the earle Morton, the lord of  
 dington, and sir James Balfour captain of this castle ; at  
 ose hands I cannot perceave that as yet access to the  
 een to Lochleven will be granted me, staying themselves  
 l by the absence of the lords and others their associates,  
 ich (they say) they look for within two days ; and for that  
 ind, by likelihood and apparent presumptions, that mine  
 ess to the queen will hardly be granted, I have thought  
 od not to defer this dispatch untill I have a resolute an-  
 er in that matter.

May it therefore please your majesty, to understand Robert Melvin returned from the queen in Lochleven, to this town the 6th of July, and brought a letter from her written of her own hand to these lords, which doth contain, as I understand, matter as followeth—A request unto them to have consideration of her health, and if they will not put her to liberty, to change the place of restraint to the castle of Stirling, to the end she might have the comfort and company of her son, and if they will not change her from Lochleven, she required to have some other gentlewomen about her, naming none.

To have her apothecary, to have some modest ministers——To have an imbroiderer to draw forth such work as she would be occupied about, and to have a varlet of the chamber.——Touching the government of the realm she maketh two offers, which are but generally touched in her letter, the particularities be not specified, but referred to Robert Melvin's credit, the one is to commit it only and wholly to the earle of Murray, the other is to the lords whose names ensue, assisted with such others as they shall call unto them, that is to say, the duke of Chattelaunt, the earls of Morton, Murray, Marr, and Glencairn.

She hath written unto them that I might have access unto her.——She requireth further, that if they will not treat her and regard her as their queen, yet to use her as the king their sovereign's daughter (whom many of them knew) and as their prince's mother. She will by no means yield to abandon Bothell for her husband, nor relinquish him; which matter will do her most harm of all, and hardeneth these lords to great severity against her.

She yieldeth in words to the prosecution of the marriage,

I have the means to let her know that your majesty hath sent me hither for her relief.

I have also perswaded her to conform herself to renounce Bothell for her husband, and to be contented to suffer a divorce to pass betwixt them; she hath sent me word that she will in no ways consent unto that, but rather she grounding herself upon this reason taking herself to be seven weeks gone with child; by renouncing Bothell, she should acknowledge herself to be with child of a bastard, and to have forfeited her honour, which she will not do to die for

it; I have perswaded her to save her own life and her child, to choose the least hard condition.

Mr Knox arrived here in this town the 6th of this month, with whom I have had some conference, and with Mr Craig also, the other minister of this town.

I have perswaded with them to preach and perswade lenity. I find them both very austere in this conference, what they shall do hereafter I know not, they are furnished with many arguments, some forth of the scripture, some forth of histories, some grounded (as they say) upon the laws of this realm, some upon practices used in this realm, and some upon the conditions and oath made by their prince at her coronation.

The bishop of Galloway, uncle to the earle of Huntley, hath sent hither to these lords, that his nephew the earle and some others of that side may, at Linlithgow or at Stirling, have some communication with some appointed on this side, assuring them that there is a good disposition in the lords of the other party to concur with these, assuring further that they will not dissent for trifles or unnecessary things, and (as I am given to understand) they can be pleased the queen's restraint be continued until the murder be pursued in all persons, whereby the separation of the queen and Bothell is implied, the preservation of the prince, the security for all men, and a good order taken for the governance of the realm in tranquillity.

Captain Clerk, which hath so long served in Denmark and served at Newhaven, did the 16th of this month (accompanied with one of his soldiers, or rather the soldier as the greater fame goeth) kill one Wilson a seaman, and such a one as had great estimation with these lords both for his skill, his hardyness, honesty, and willingness in this action; wherupon Clerk hath retired himself; their quarrel was about the ship which took Blacketer, which ship was appointed by these lords to go to the north of Scotland to impeach the passage of the earle of Bothell, in case he went either to the isles, or to any other place; by the death of this man this enterprise was dashed.

The bishop of Galloway is come to Linlithgow, and doth desire to speak with the lord of Lidington.



The abbot of Kilwinning hath sent for sir James Balbar, captain of the castle, to have conference with him.

As I wrote unto your majesty in my last, the Hamiltons now find no matter to disever these lords and their assunder, but would concur in all things (yea in any extremity against the queen) so as that they might be assured the prince of Scotland were crowned king, and should die without issue, that the earle of Lenox's son living should not inherit the crown of this realm, as next heir to his nephew.

And although the lords and counselors speak reverently, mildly, and charitably of their queen, so as I cannot gather by their speech any intention to cruelty or violence, yet I do find by intelligence, that the queen is in very great peril of her life, by reason that the people assembled at this convention do mind vehemently the destruction of her.

It is a public speech amongst all the people, and amongst all estates (saving of the counsellors) that their queen hath no more liberty nor privilege to commit murder or adultery, than any other private person, neither by God's laws, nor by the laws of the realm.

The earl of Bothwell, and all his adherents and associates, be put to the horn by the ordinary justice of this town, named the lords of the session; and commandment given to all shirriffs, and all other offices, to apprehend him, and all other his followers and receptors. The earl of Bothwell's porter, and one of his other servitors of his chamber, being apprehended, have confessed such sundry circumstances, as it appeareth evidently, that he the said earl was one of the principal executors of the murder, in his own person accompanied with sundry others, of which number I cannot yet certainly learn the names but of three of them, that is two of the Ormiston of Tivotdall, and one Hayburn of Bolton; the lords would be glad that none of the murderers should have any favour or receipt in England, and hence their desire is, that the officers upon the border may be warned; Bothwell doth still remain in the north part, but the lord Seaton and Fleming, which have been thought have utterly abandoned him, and do repair hitherwards.

The intelligence doth grow daily betwixt these lords, and those which held of; and notwithstanding these lords have sent an hundred and fifty harqubushers to Stirling, to keep

the town and passage from surprize; and so have they done in like manner to St Johnston, which be the two passages from the north, and west to this town, I do understand the captain of Dunbar is much busied in fortifying that place, I do mervile the carriages be not impeached otherwise than they be.

Of late this queen hath written a letter to the captain of the said castle, which hath been surprized; and thereby matter is discovered which maketh little to the queen's advantage.

Thus, having none other matter worthy your majesty's knowledge, I beseech God to prosper your majesty with long life, perfect health, and prosperous felicity. At Edinburgh the 18th of July 1567.

**Letter of Sir Nicholas Throckmorton to the right honourable the earl of Leicester, knt. of the order, and one of the lords of her majesty's most honourable privy council.**

[24th of July 1567. Paper-office. From the original.]

BY my former dispatches sent to her majesty, and Mr Secretary, since the 12th of July, your lordship might have perceived the state of this country, and to what end these matters be like to come: so as not to trouble your lordship with many words; this queen is like very shortly to be deprived of her royal estate, her son to be crowned king, and she detained in prison within this realm, and the same to be governed, in the young king's name, by a council, consisting of certain of the nobility, and other wise men of this realm; so as it is easy to be seen that the power and ability to do any thing to the commodity of the queen's majesty, and the realm of England will chiefly, and in manner wholly rest in the hands of these lords, and others their associates, assembled at Edinburgh. Now if the queen's majesty will still persist in her former opinion towards the queen of Scotland (unto whom she shall be able to do no good), then I do plainly see that these lords and all their accomplices will become as good French, as the French king can wish, to all intents and purposes. And

as for the Hamiltons, the earls of Argyll, Huntlye, and that faction, they be already so far enchanted that way, as there needeth little devise to draw them to the French devotion. Then this is the state of things so come to pass of this country, that France has Scotland now as much conjoined unto them, to all purposes, as ever it was; and what an instrument, the young prince will prove, to unquiet England, I report me to your lordships wisdoms, and therefore considering the weight of the matter, and all the circumstances, I trust your lordships will well bethink you in time (for 'tis high time) how to advise her majesty, to leave nothing undone that may bring the prince of Scotland to be in her possession, or, at the least, to be at her devotion. And amongst other things, that I can imagine, for the first degree nothing is more meet to bring this to effect, than to allure this company here assembled, to bear her majesty their favour. Some talk hath passed between the lord of Liddington and me, in certain conferences, about this matter. By him I find, that when her majesty shall have won these men to her devotion, the principal point that will make them conformable to deliver their prince into England, will rest upon the queen, and the realms enabling him to the succession of the crown of England, for fault of issue of the queen's majesty's body, some other things will also be required, as the charge of the said prince and his train to be at the charge of England. I do well perceive that these men will never be brought to deliver their prince into England, without the former condition, for the succession of England; for (saith Liddington) that taking place, the prince shall be as dear to the people of England as to the people of Scotland; and the one will be as careful of his preservation as the other. Otherwise, he saith, all things considered, it will be reported that the Scottishmen have put their prince to be kept in safety, as those which commit the sheep to be kept by the wolves. So as for conclusion, your lordships may perceive here will be the scope of this matter. As unto the delivering of him upon hostages, he sayeth, let no man think, that the condition of the succession not being accomplished, the nobility and the gentry will never consent to leave themselves destitute of their sovereign, upon any

hostages, neither upon any promises, nor likelihood of good to issue in time to come. It were not good for yourselves (saith he) that the matter were so handled; for then you should adventure all your goods in one ship, which might have a dangerous effect, considering the unwillingness of the queen your sovereign to consent to establishing any successor to the crown. And then, how unmete were it, that her majesty having in her possession already all such persons as do pretend to it, or be inheritable to the crown, to have our prince also in her custody. For so there might follow, without good capitulations, a strange and dangerous issue, tho' the queen your mistress do think that such imaginations could not proceed but from busy heads, as you have uttered unto us on her behalf. What is come to pass since my last dispatch. and how far forth things are proceeded, I refer your lordship to be informed by my letters sent unto her majesty at this time. And so I pray Almighty God, preserve your lordship in much honour and felicity. At Edinburgh this 24th of July 1567.

It may please your good lordship to make my lord Stuard partner of this letter.

The Queen to Sir Nicholas Throkmorton.

By the Queen.

[6th Aug. 1567.]

TRUSTY and right well-beloved, we greet you well, for as much as we do consider that you have now a long time remained in those parts without expedition in the charge committed unto you, we think it not meet, seeing there hath not followed the good acceptation and fruit of our well meaning towards that state, which good reason would have required, that you should continue there any longer, our pleasure, therefore, is, that you shall, immediately upon the receipt hereof, send your servant Middlemore unto the lords and estates of that realm, that are assembled together, willing him to declare unto them, that it cannot but seem very strange unto us, that you having been sent from us of such good intent, to deal with them, in matters tending so much to their own quiet, and to the benefit of the whole estate of their country, they have so far forgotten

themselves, and so slightly regarded us and our good meaning, not only in delaying to hear you, and deferring your access to the queen their sovereign, but also, which is strangest of all, in not vouchsafing to make any answer unto us. And altho' these dealings be such, indeed, as were not to be looked for at their hands, yet do we find their usage and proceedings towards their sovereign and queen, to overpass the rest in so strange a degree, as we for our part, and we suppose the whole world besides, cannot but think them to have therein gone so far beyond the duty of subjects, as must needs remain so their perpetual tauche for ever. And therefore ye shall say, that we have tho't good, without consuming any longer time in vain, to revoke you to our presense, requiring them to grant you licence and pasport so to do, which when you shall have obtained, we will that you make your repair hither, unto us, with as convenient speed as you may. Given, &c.

Indorsed 6th August 1567.

Throkmorton to the right honourable Sir William Cecil, knight, one of her majesty's privy council and principal secretary, give these.

[12th Aug. 1567. Paper-office. From the original.]

SIR,

WHAT I have learned, since the arrival of my lord Murray, and Mons. de Linnerol, you shall understand by my letter to her majesty, at this time. The French do, in their negotiations, as they do in their drink, put water to their wine. As I am able to see into their doings, they take it not greatly to the heart how the queen sleep, whether she live or die, whether she be at liberty or in prison. The mark they shoot at, is, to renew their old league; and can be as well contented to take it of this little king (howsoever his title be), and the same by the order of these lords, as otherwise. Lyneroll came but yesterday, and methinketh he will not tarry long; you may guess how the French will seek to displease these lords, when they changed the coming of la Chapelle des Oursins for this man, be-

they doubted that de la Chapelle should not be grater to them, being a papist. Sir, to speak more plainly to than I will do otherwise, methinketh the earl of Murvill run the course that those men do, and be partaker eir fortune. I hear no man speak more bitterly against ragedy, and the players therein, than he, so little like uth to horrible sins. I hear an inkling that Ledington go into France, which I do as much mislike, as any ; for our purpose. I can assure you the whole pro-nts of France will live and die in these men's quarrels ; where there is bruit amongst you, that aid should be to the adverse party, and that Martigues should come r with some force ; Mons. Boudelot hath assured me s honour, that instead of Martigues coming against , he will come with as good a force to succour them : if that be sent under meaner conduct, Robert Stuart come with as many to fortify them. But the con-e hath assured these lords, that the king meaneth no to offend them. Sir, I pray you find my revocation nient, and speed you to further it, for I am here now o purpose, unless it be so kindle these lords more st us. Thus I do humbly take my leave of you, from burgh the 12th of August 1567.

Yours to use and command.

### The Queen to Nicholas Throkmorton.

HASTY and well-beloved, we greet you well. We have, in these two days, received three sundry letters of s, of the 20th, 22d, and 23d, of this month, having before those received any seven days before ; and do by these your letters, that you have very diligently largely advertised us of all the hasty and peremptory edings there ; which as we nothing like, so we trust ne to see them wax colder, and to receive some reformation. For we cannot perceive, that they with whom ave dealt can answer the doubts moved by the H-ns, who howsoever they may be carried for their pri-respects, yet those things which they move, will be ed by all reasonable persons. For if they may not, ; noblemen of the realm, be suffered to hear the queen

their sovereign declare her mind concerning the reports which are made of her, by such as keep her in captivity, how should they believe the reports, or obey them which do report it? and therefore our meaning is, you shall let the Hamiltons plainly understand, that we do well allow of their proceedings (as far forth as the same doth concern the queen their sovereign for her relief, and in such things as shall appear reasonable for us therein to do, for the queen our sister, we will be ready to perform the same. And where it is so required, that upon your coming thence, the lord Scroope should deal with the lord Hennis to impart their meanings to us, and ours to them, we are well pleased therewith, and we requize you to advertize the lord Scroope hereof by your letters, and to will him to shew himself favourable to them in their actions, that may appear plainly to tend to the relief of the queen, and maintenance of her authority. And as we willed our secretary to write unto you, that upon your message done to the earl of Murray, you might return, so our meaning is you shall. And if these our letters shall meet you on the way, yet we will have you advertise both the lord Scroope and the Hamiltons of our meaning.

Indorsed 29th Aug. 1567.

No. XXIII. (Vol. II. p. 93.)

Sir Nicholas Throckmorton to the Archbishop of  
St Andrews and the Abbot of Arbroth.

[13th Aug. 1567. Paper-office. From a copy which Sir Nicholas sent to the Queen.]

AFTER my good commendations to your good lordships, this shall be to advertize you, that the queen's majesty my sovereign having sent me hither her ambassador to the queen her sister your sovereign to communicate unto her such matter as she thought meet, considering the good amity and intelligence betwixt them, who being detained in captivity (as your lordships know) contrary to the duty of all good subjects, for the enlargement of whose person

d the restitution of her to her dignity, her majesty gave in charge to treat with these lords assembled at Edinburgh, offering them all reasonable conditions and means might be, for the safeguard of the young prince, the mishment of the late horrible murder, the dissolution of a marriage betwixt the queen and the earl of Bodwell, and lastly for their own sureties. In the negotiation of which matters I have (as your lordships well know) spent long time to no purpose, not being able to prevail in any way with those lords to the queen my sovereign's satisfaction. Of which strange proceedings towards her majesty, and undutiful behaviour towards their sovereign, I have advertised the queen's majesty, she (not being minded to bear this indignity) hath given me in charge to declare a further pleasure unto them, in such sort as they may all perceive her majesty doth disallow of their proceedings, and thereupon hath revoked me. And further hath given me in charge to communicate the same unto your lordships, requiring you to let me know, before my departure hence, (which shall be, God willing, as soon as I have received answer from you) what you and your confederates will assuredly do, to set the queen your sovereign at liberty, and to restore her to her former dignity by force or otherwise; seeing these lords have refused all other mediation, the end the queen's majesty my sovereign may concur with your lordships in this honourable enterprise.

And in case, through the dispersion of your associates, your lordships can neither communicate this matter amongst you, nor receive resolution of them all by that time, it may please you to send me the opinions of so many of you as may confer together, within two or three days, so as I may have your answer here in this town by Monday or Tuesday next at the farthest, being the 19th of this August; for I intend (God willing) to depart towards England, upon Wednesday following. Thus I most humbly take my leave of your lordships at Edinburgh, the 13th of August 1667.

Indorsed 13th of Aug. 1567.



Sir Nicholas Throckmorton to the Lord Herry.

[24th Aug. 1567. Paper-office. From a copy which Sir Nicholas sent to Secretary Cecil.]

YOUR good lordship's letter of the 13th of August I have received the 19th of the same. For answer whereunto it may like your lordship to understand, that I will signify unto you plainly, how far forth I am already thoroughly instructed of the queen's majesty my sovereign's pleasure concerning the detention of the queen your sovereign, and concerning her relief.

To the first her majesty hath given in charge, to use all kinds of persuasion in her name, to move these lords assembled at Edinburgh to desist from this violent and undutiful behaviour, which they used toward their sovereign. And in this part, besides the shew of many reasons, and sundry persuasions of amicable treaty with them, her majesty hath willed me to use some plain and severe speech unto them, tending so far forth, as if they would not be better advised, and reform these their outrageous proceedings exercised against their sovereign, that then they might be assured her majesty neither would nor could indure such an indignity to be done to the queen, her good cousin and neighbour.

And notwithstanding these my proceedings with them, they have made proof to be little moved thereby; for as yet neither will they consent to the enlargement, neither suffer me to speak with her. So as it seemeth to me, it is superfluous to treat any more with them after this manner. Whereupon I have advertised the queen's majesty my sovereign, expecting daily her majesty's further order; and as I shall be advertised thereof, so will not fail to signify the same to your good lordship; and in the mean time will advertise her majesty also, what your lordship hath written unto me. Thus with my due commendations to your good lordship, I commit the same to Almighty God, resting always to do you the pleasure and service that I can lawfully. At Edinburgh.

Indorsed 24th August 1567.

## No. XXIV. (Vol. II. p. 104.)

Account of Lord Herreis's behaviour in the Parliament held December 15, 1567.

[Paper-office.]

THE lord Herryss made a notable harangue in the name of the duke and himself, their friends and adherents (the duke himself, the earl of Cassilles, and the abbot of Killing being also present) to persuade the union of the whole realme in one mind. Wherein he did not spare to set forth solemnly the great praise that part of this nobility deserved, which in the beginning took meanes for punishment of the earl Bothwell, as also seeing the queen's inordinable affection to that wicked man, and that she could not be induced by their persuasion to leave him, that in sequestration of her person within Lochlevin they did the duty of noblemen. That their honourable doings, which had not led to hazard their lives and lands, to avenge their country from the slanderous reports that were spoken among other nations, had well deserved that all their countrymen should join with them in so good a cause. That if they, in whose names he did speak, would willingly, without any compulsion, enter themselves in the same, and put their lives and lands in the like hazard, for maintenance of our cause. And if the queen herself were in Scotland, accompanied with 20,000 men, they will be of the same mind and fight in our quarrel. He hoped the other noble men of their party, Huntly, Arguile, and others, which had not as yet acknowledged the king, would come to the same conformity, whereunto he would also early move them. And if they will remain obstinate, and refuse to qualify themselves, then will the duke, he and his friends, join with us to correct them, that otherwise they will not reform themselves. So plausible an oration, and so advantageous for our party, none of ourselves could have made. He did not forget to term my lord regent, by the name of regent (there was no mention at all of the earl Murray), and to call him grace at every word, when his

[Cott. Lib. Cal. 1. A copy, and probably a translation]

MADAM,

ALTHOUGH the necessity of my cause (which I am to be importune to you) do make you to judge me out of the way; yet such as have not my passion the respects whereof you are persuaded, will think do as my cause doth require. Madam, I have not a you, neither in words, nor in thought, to have used self evil towards me. And I believe, that you have want of good understanding, to keep you from pers against your natural good inclination. But in the time I can't chuse (having my senses) but perceive evil furtherance in my matters, since my coming I thought that I had sufficiently discoursed unto y commodities, which this delay bringeth unto me. especially that they think in this next month of Aug hold a parliament against me and all my servants. in the mean time, I am stayed here, and yet will yo I should put myself further into your country (withc ing you), and remove me further from mine; and t me this dishonour at the request of my rebels, as t commissioners to hear them against me, as you wol a mere subject, and not hear me by mouth. Nov dam. I have promised you to come to you, and

honour at their hands, that being in possession they will come and accuse me before your commissioners, whereof I can't like: and seeing you think it to be against your honour and consignage to do otherwise, I beseech you that you will not be mine enemy. untill you may see how I can discharge myself every way, and to suffer me to go into France, where I have a dowry to maintain me; or at least to go into Scotland, with assurance that if there come any strangers thither, I will bind myself for their return without any prejudice to you, or if it pleases you not to do thus, I protest that I will not impute it to falsehood, if I receive strangers in my country, without making you any other discharge for it. Do with my body as you will, the honour or blame shall be yours. For I had rather die here, and that my faithful servants may be succoured (tho' you would not so) by strangers, than to suffer them to be utterly undone, upon hope to receive, in time to come, particular commodity. There be many things to move me to fear that I shall have to do, in this country, with others than with you. But forasmuch as nothing hath followed upon my last moan, I hold my peace, happen what may hap. I

have as leafe to  $\left\{ \begin{array}{l} \text{abide} \\ \text{endure} \end{array} \right\}$  my fortune, as to seek it, and not

find it. Further it pleased you to give licence to my subjects to go and come. This has been refused by my lord Scroop and Mr Knolls (as they say) by your commandment, because I would not depart hence to your charge, untill I had answer of this letter, tho' I shewed them that you required my answer upon the two points, contained in your letter.

The one is to let you briefly understand, I am come to you to make my moan to you, the which being heard, I would declare unto you mine innocency, and then require your aid, and for lack thereof I can't but make my moan and complaint to God, that I am not heard in my just quarrel, and to appeal to other princes to have respect thereunto as my case requireth; and to you, madam, first of all when you shall have examined your conscience before him, and have him for witness.——And the other, which is to come further into your country, and not to come to your

presence, I will esteem that as no favour, but will it take for the contrary, obeying it as thing forced. In mean time, I beseech you to return to me my lord Herries, for I can't be without him, if it please you, without further delay, to depart hence whithersoever it be out of this country. I am sure you will not deny me this simple request for your honour's sake seeing it doth not please you to use your natural goodness towards me otherwise, and seeing that of mine own accord, I am come hither, let me depart again, with yours. And if God permit my causes to succeed well, I shall be bound to you for it; and happening otherwise, yet I can't blame you. As for my lord Fleeming, seeing that upon my credit you have suffered him to go home to his house, I warrant you he shall pass no further, but shall return when it shall please you. In that you trust me, I will not (to die for it) deceive you. But *from* [perhaps *for*] Dumbarton I answer not, when my l. Fleeming shall be in the Tower. For they which are within it, will not forbear to receive succour, if I don't assure them of yours; no, tho' you would charge me withal, for I have left them in charge, to have more respect to my servants and to my estate, than to my life. Good sister, be of another mind, win the heart, and all shall be yours, and at your commandment. I thought to satisfy you wholly, if I might have seen you. Alas! do not as the serpent, that stoppeth his hearing, for I am no enchanter, but your sister, and natural cousin. If Cæsar had not disdained to hear or read the complaint of an advertiser, he had not so died; why should princes ears be stopped seeing that they are painted so long? meaning that they should hear all and be well advised, before they answer. I am not of the nature of the basilisk, and less of the camelion, to turn you to my likeness, and tho' I should be so dangerous and curs'd as men say, you are sufficiently armed with constancy and with justice, which I require of God, who gave you grace to use it well with long and happy life. From Carlisle, the 5th of July 1568.

## No. XXVI. (Vol. II. p. 127.)

t of a Letter from Sir Francis Knollys to  
Cecil, 8th Aug. 1568, from Bolton.

[An original. Paper-office.]

—BUT surely this queen doth seem, outwardly, not to favour the form, but also the chief article of the religion of the gospel, namely justification by faith only: and heareth the faults of papistry revealed by preaching or otherwise, with contented ears, and with gentle and weak eyes, and she doth not seem to like the worse of religion now me.

t of a Letter from Sir Francis Knollys to  
Cecil, 21 Sept. 1568, from Bolton.

—IT came to this queen's ears of late that she was moved to be lately turned to the religion of the gospel, to great disliking of the papists hereabouts, which thing herself confessed unto me, and yesterday, openly in the great chamber, when the assembly was full, and some papists present, she took occasion to speak of religion, and openly she professed herself to be of the papist religion, and took upon her to patronize the same, more earnestly than she had done a great while afore, altho' her defenceless arguments were so weak that the effect of her speech was only to shew her zeal; and afterwards to me alone, when I misliked to see her become so confidently backward religion. Why, said she, would you have me to lose France and Spain, and all my friends in other places, by meaning to change my religion, and yet I am not assured that queen my good sister will be my assured friend, to the satisfaction of my honour and expectation.

## No. XXVII. (Vol. II. p. 128.)

A Letter from my Lord Herries to my Lord Scroop and Sir F. Knollys, September 3d, 1568.

[Cott. Lib. Cal. C. An original in his own hand.]

MY lords, pleisit your honourable lordships, I am informed by James Borthwick, lately come from the queen's majesty your soverane, that is schawin to her highness, I shuld have ridden in Crafordmure, sen my last coming into this realm, upon the earl of Murray's dependants. And that I suld have causit, or been of counsall to Scottisment to have riddin in England, to slay or spulzie her majesty's subjects.

My lords, I thought it right needful because your lordships is, by your soverane, commanded to attend upon the queen's majesty my mistress, so having daily access in this matters, to declare upon the truth; humbly desiring that your lordships will, for God's cause, certificate the queen your soverane the same.

As God lives, I have neither consented, nor any wise had knowledge of any Scottisman's riding in England, to do the subjects thereof hurt in bodies or goods, sene the siege of Leith; and as I understand it shall be fund true, that gif any sic open hurt be done, it is by the queen my soveraign's disobedients, and that I have not ridden nor hurt no Scottisshman, nor commanded no hurt to be done to them sen my coming from the queen's majesty of England, it is well kend, for that never ane will complain of me.

I have done more good to Crafordmure nor ever the earl of Murray has done, and will be leather to do them any harm than he will. Except the queen's majesty your soveraign command sic false reports to be tryit, quhered this is altogidder an inventit leasing, her grace sall be trubilt and tyne the hearts of true men here, quhom of sic report sal be made, that baith would serve hir, and may, better than they unworthy liars.

My lords, I understand the queen's majesty your soveraign is not contented of this brute, that there should on

Frenchmen come in this realm, with the duke of Chattelherault. Truth it is, I am no manner of way the counsell of their cuming, nor has no sic certainty thereof, as I hear by Borthwick's report from the queen's majesty your sovereign. And gif I might as well say it, as it is true indeed, her grace's self is all the wyitt, and the counsell that will never let her take order with my mistress cause. For that our sovereign havand her majesty's promise, be writing, of luff, friendship, and assistance gif need had so requirit, enterit that realm, upon the 16th day of May, sen that time the queen's majesty has commanded me diverse times to declare she would accept her cause, and do for her, and to put her in peaceable possession of this realme, and when I required of her majesty, in my maistress name, that her highness would either do for her, (as her special trust was she wold) according to her former promises, or otherwise give her counsell, wold not consent, (as I show her grace I fand diverse repugnant) than that she wold permit her to pass in France or to some other prince to seek support, or failing hereof, (quhilk was agains all reason) that she would permit her to return in her awin countrie, in sic sempil manner as she came out of it, and said to her majesty ane of thir, for her honour, would not be refusit, seeand that she was comed in her realm upon her writings and promises of friendship. And sicklike, I said to her highness, gif my maistress had the like promise of her nobility and estates, as she had of herself, I should have reprovit them highly, gif they had not condescendit to one of thir three, and so I say, and so I write, that in the world it shall be maist reprehendable, gif this promise taketh not other good effect, nor yet it does. Notwithstanding, I get gud answer of thir promises of friendship made to my sovereign, and to put her grace in this her awin countrie peaceably, we have fund the contrary working by Mr Middlemore directit from her highness to stay the army that cuist down our houses. And alsua, in the proceeding of this late pretendit parliament, promised twenty days before the time to myself to have caused it becn dischargit. And yet contrary to this promise, have they made their pretendit manner of forfeiture of 31 men of guid reputation, bishops, abbottis, and barroni, obedient subjects to our sovereign, only for hercause.



They have also disponit, sen our sovereign's cause was taken upon hand be the queen's majesty of that realm, an hundred thousand pound Scots worth of her awin true subjects geir, under the color of the law, groundit upon their false, treasonable, stowin, authority.

The murders, the oppressions, the burnings, the ravishing of women, the destruction of policy, both ecclesiastical and temporal, in this mean time, as in my former writings I said it was lamentable to ony christian man to hear of, except God gif grace, the profession of the evangile of Jesus Christ professit be your prince, counsall and realme, be mair myndit, nor the auld inamity that has stand betwixt the realme, many of my countrymen will doubt in this article, and their proceedings puttis my self in Sanct Thomas belief.

Now, my lords, gif the queen's majesty of that realm, upon quhais promise and honour my maistress came there, as I have said, will leave all the French writings, and French phrases of writings, quhilks amongis them is over meikle on baith the sides unfit, and plainly, according to the auld true custom of England and Scotland, quherein be a word promist truth was observ'd, promise, in the name of the eternal God, and upon the high honour of that nobill and princely blude of the kings of England, quhereof she is descendit, and presently wears the diadem, that she will put my maistress in her awin country, and cause her as queen thereof in her authority and strength to be obeyit, and to do the same will appoint an certain day within two months at the farthest, as we understand this to be our weill, sua will we, or the maist part of us all, follow upon it, leaving the Frenchmen, and their evil French phrases togidder. And therefore, and for the true perpetual friendship of that realm, will condition, and for our part, with the grace of Almighty God, keep sic heads and conditions of agreement, as noble and wise men can condescend upon, for the weill of this hail island. As I have been parting declaring to the queen your sovereign, quhilk I shew to your lordships selfis both in religion, in the punishment of the earle Bothwile, for the queen's last husband's slaughter, and for a mutual band of amity perpetually to remain amangis us.

Doubtless, my lords, without that, we may find sic time and friendly working, as may gif us occasion baith to forgette Middlemore and his late pretendit parliament, we will turn the leaf, leaving our sovereign agains our will to rest where she is under the promise of friendship. As I have baith said, and will ever affirm, made by your sovereign, quhilk was only cause of her grace's coming in that realme, and seek the help and moyen of French, or Spanish, till expulse this treasonable and false pretendit authority, quhilk means to reign above us.

My lords, I desire your lordships consider, that it is he, that maist desires the amity betwixt England and Scotland to continue, and of a poor man best cause has, that writ this.

My brother, the laird of Skirling, schaws me, that in your lordship's communing with him, it appearit to him, your mind was we shold suffer the earle of Murray to work, altho' it were agains reason to us, and complain thereof to the queen's majesty, and her highness wald see it reformat. My lords, her majesty will be over meikle troublit to reform the wranges we have sustainit already. For I am sure, gif reason and justice may have place, our maistress, and we her subjects, have received express wrang, far above two hundred thousand pounds sterling, in the time of this unhappy government, seeing the reformation of sa great causes, comes, now a days, so slowlie and the ungodly law of oblivion in sic matters so meikle practis'd, I think, nowther for the queen's honour, nor our weill, your lordships would sua mean, nor that it is good to us to follow it. And that ye will give your sovereign sic advertisement thereof, as your good wisdoms shall find in this cause meet. It will be true and friendful working for us, indeed, and nowther French phrases, nor boasting, and finding little other effect, that will cause us to hold away the Frenchmen. This is plainly written, and I desire your lordship's plain answer, for in truth and plainness longest continues gud friendship, quhilk in this matter I pray God may lang continue, and have your lordships in his keeping. *Of Dumfries, the 3d day of September 1668.*

Your lordships at my power  
to command leiffully,

HERRIS,

qui me semble bien trop, pour obtenir plus de  
que je m'estois persuadée n'avoir par vostre j  
quant a n'osser donner commission de venir sans  
ment pour leur peu de nombre de noblesse alors  
respons, q'uils n'ont que trois ou quatre d'advan  
cussent aussi bien dit leur opinion hors de parlen  
n'a esté tenu tant pour cette effect, mais pour  
qu'expressement nous avions requis estre empes  
est la forfaiture de mes subjects pour m'avoir esté  
ce que je m'assurois, jusques a heir, avoir eu en  
de vous, par la lettre écrite a mi lord Scrup  
Knoleis vous induire a ire contre eulx, voire, a le  
resendir; toutefois je vois que je l'ay mal pris, j'en  
marrie, pour ce que sur votre lettre qu'il me mo  
et leur parole, je l'ay si divulgument assuray que  
geance que j'en desirasse, si non mettre differet  
leur faux deportemens, et les miens sincerés. Da  
lettre aussi datée du 10<sup>me</sup> d'Aoust, vous metties  
“ I think your adverse party, upon my sundry fo  
“ vices, will hold no parliament at all; and if th  
“ shall be only in form of an assembly, to accord  
“ send into this realm, and in what sort; for oth  
“ they shall proceed in manner of a parliament,  
“ act of judgment against any person, I shall no

escarmons dies, et par prises de mes gens et lettres, et au contraire vous estes informée que mes subjects ont evahis les vostres, madame, qui a fait ce rapport n'est pas homme de bien, car laird de Sesford et son fils sont et ont estes mes rebelles depuis le commencement ; enquirés vous, s'ils n'estoient a Donfris avecques eux, j'avois offri respondre de sa frontiere, ce qui me fut refusé, ce qui m'en devoit asses descharger, néanmoins, pour vous faire preuve de ma fidelité, et de leur fausité s'il vous me fayte donner le nom des coupables, et me fortifier, je commanderay mes subjects les pour suivre, ou si vous voules que ce soit les vostres, les miens leur ayderont ; je vous prie m'en mander vostre volonté, au reste mes subjects fidelles seront responsables a tout ce que leur sera mis au les contre vous, ni les vostres, ni les rebelles, depuis, que me conseillates les faire retirer. Quant aux François, j'escrivis que l'on m'en fit nulle poursuite, car j'esperois tant en vous, que je n'en aurois besoin,—je ne sçeu si le dict aura en mes lettres, mais je vous jure devant Dieu que je ne scay chose du monde de leur venue, que ce que m'en aves manday, ni n'en ai oui de France mot du monde, et ne le puis croire pour cest occasion, et si ils si sont, c'est sans mon sceu ni consentement, Pourquoy je vous supplie ne me condamner sans m'ouïre, car je suis prest de tener tout ce que j'ay offert a Mester Knolcis, et vous assure que vostry amité, qu'il vous plect m'offrir, sera rescue avant toutes les choses du monde, quant France servit la pour presser leur retour a ceste condition, que preniez mes affaires en mien, en soeur, et bonne ami, comme ma France est en vous ; mais une chose seule me rende confuse, j'ay tant d'enemis qu'ont votre oreille, la quelle ne pouvant avoir par parole, toutes mes actions vous sont desguistées, et fausement rapportées, par quoi il m'est impossible de m'assurer de vous, pour les manières qu'on vous a fait, pour destruire vostre bonne volonté de moy ; par quoy je desirerois bien avoir ce bein vous faire entendre ma sincere et bonne affection, laquelle je ne puis si bien decrire, que mes enemis a torte ne la decoloré. Ma bonne soeur, gagnes moy ; envoyés moy querer, n'entrés en jalousie par faulx raports de celle que ne desire que votre bonne grace ; je me remettray sur Mester Knoles a qui je me suis librement descouverte, et apres vous avoir balisé

## Queen Elizabeth to the Earl of Mur

[Paper-office, from a copy corrected by Secretary]

RIGHT trusty and right well beloved cousin,  
you well. Where we hear say, that certain re-  
made in sundry parts of Scotland, that whatsoev-  
fall out now upon the hearing of the queen of Sco-  
in any proof to convince or to acquit the said qu-  
cerning the horrible murder of her late husband or  
we have determined to restore her to her kingdon  
vernment, we do so much mislike hereof, as we ci-  
dure the same to receive any credit: and therefore  
thought good to assure you, that the same is ur-  
vised by the authors to our dishonour. For as  
been always certified from our said sister, both by  
ters and messages, that she is by no means guilty  
cipant of that murder, which we wish to be true,  
if she should be found justly to be guilty thereo:  
been reported of her, whereof we would be very sor-  
indeed, it should behove us to consider otherwis  
cause than to satisfy her desire in restitution of h  
government of that kingdom. And so we would |

## No. XXIX. (Vol. II. p. 135.)

Sir Francis Knollys to Cecil, the 9th of October  
1568, from York.

[An Original. Paper-office.]

—Mr lord's grace of Norfolk sending for me to Bolton, to attend upon him here Thursday last, I made my repair hither accordingly, meaning to stay here until Monday next; as touching the matters of the commission, that his grace and the rest have from her highness, his grace hath imparted unto me of all things thereunto appertaining, and what hath hitherto passed, and altho' the matters be too weighty for my weak capacity, to presume to utter any opinion of mine own thereof, yet I see that my lord Harris, for his parte laboureth a reconciliation, to be had without the extremity of odious accusations; my lord of Ledington also saith to me, that he could wish these matters to be ended in dulce manner, so that it might be done with safety; of the rest you can conceive, by the advertise-ments and writings, sent up by our commissioners.

A letter from the Bishop of Ross to the Queen  
of Scots, from York, October 1568.

[Cott. Lib. Calig. C. I. A copy.]

PLEIS your majesty I conferred at length with A. ane great part of a night, who assurit me that he had reasoned with B. this Saturday C. on the field, who'd determinate to him that it was the D. determinit purpose not to end your cause at this time, but to hold the same in suspence, and did what was in her power, to make the E. pursue extremity, to the effect F. and his adherents might utter all they could to your dishonour, to the effect to cause you come in disdain with the hail subjects of this realm, that ye may be the mair unable to attempt any thing to her disadvan-

tage. And to this effect is all her intention, and when they have produced all they can against you, D. will not appoint the matter instantly, but transport you up in the country, and retain you there till she think time to shew you favour, which is not likely to be hastily, because of your uncles in France, and the fear she has of yourself to be her unfriend. And therefore their counsel is, that ye write an writing to the D. meaning that ye are informit that your subjects which has offendit you.—This in effect that your majesty hearing the estate of your affairs as they proceed in York, was informed that her majesty was informed of you, that you could not gudely remit your subjects in such sort as they might credit you hereafter, which was a great cause of the stay of this controversy to be ended. And therefore persuading her D. effectually not to trust any who had made such narration. But like as ye had rendered you in her hands, as most tender to you of any living, so prayit her take na opinion of you, but that ye wauld use her counsell in all your affairs, and wald prefer her friendship to all others, as well uncles as others, and assure her to keep that thing ye wald promise to your subjects by her advice. And if D. discredit you, ye wald be glad to satisfy her in that point be removing within her realm in secret and quiet manner, where her G. pleased, until the time her G. were fully satisfied, and all occasion of discredit removed from her. So that in the mean time your realm were holden in quietness, and your true subjects restored and maintained in their own estate, and sic other things tending to this effect. And affirms that they believe that this may be occasion to cause her credit you that ye offer so far; and it may come that within two or three months she may become better minded to your grace, for now she is not well minded, and will not shew you any pleasure for the causes aforesaid.

N. B. The title of this paper is in Cecil's hand; the following key is added in another hand.

- A. The laird of Lethington.
- B. The duke of Norfolk.
- C. Was the day he rode to Cawood.
- D. The queen of England.
- E. The queen of Scots commissioners.
- F. The earl of Murray.

## No. XXX. (Vol. II. p. 147.)

ration of Secretary Cecil's concerning  
Scotland, Dec. 21, 1568.

[Paper-office.]

best way for England, but not the easiest, that the  
f Scots might remain deprived of her crown, and  
e continue as it is.

second way for England profitable, and not so hard.  
the queen of Scots might be induced, by some per-  
s to agree that her son might continue king, be-  
s is crowned, and herself to remain also queen; and  
government of the realm might be committed to  
ersons as the queen of England should name, so as  
nomination of them it might be ordered, that a con-  
number of persons of Scotland should be first named  
queen of England, indifferently for the queen of  
and for her son, that is to say the one half by the  
f Scots, and the other by the earle of Lennox and  
nnox, parents to the child; and out of those, the  
majesty of England to make choice for all the offi-  
the realm, that are, by the laws of Scotland, dispos-  
the king or queen of the land.

until this may be done by the queen's majesty, the  
rent remain in the hands of the earle of Murray as  
oviding he shall not dispose of any offices or per-  
to continue any longer but to these offered of the  
s.

a parliament be summoned in Scotland by several  
dments, both of the queen of Scots and of the  
ing.

That hostages be delivered unto England on the  
ing's behalf, to the number of twelve persons of  
of Murray's part as the queen of Scots shall name;  
wise on the queen's behalf, to the like number as  
of Murray shall name; the same not to be any  
e by inheritance or office cause to be in this parlia-



ment, to remain from the beginning of the summer that parliament, until three months after that parliament which hostages shall be pledges, that the friends of each part shall keep the peace in all cases, till by this parliament it be concluded, that the ordinance which the queen of England shall devise for the government of the realm, touching not to the hurt of the crown of Scotland, nor contrary to the laws of Scotland for any man's inheritance, the same was before the parliament at Edinburgh the December last, shall be established to be kept and obeyed, under pain of high treason for the breakers thereof.

—That by the same parliament also be established, that no executions and judgments given against any person shall be executed, until the death of the late king.

—That by the same parliament, a remission be made universally from the queen of Scots to any her countess, and also from every one subject to another, saving the substitution be made of lands and houses, and all other heritable, that have been by either side taken from the owners, which were the owners thereof at the committing of the queen of Scots to Lochleven.

That by the same parliament it be declared who shall be successors to the crown next after the Q. of Scots and her issue; or else, that such right as the D. of Chatellault had, at the marriage of the Q. of Scots with the lord Darnley, may be conserved and not prejudiced.

That the Q. of Scots may have leave of the queen of England, twelve months after the said parliament, and that she shall not depart out of England, without special licence of the queen's majesty.

That the young king shall be nourished and brought up in England, till he be years of age.

It is to be considered, that in this cause the compact between the queen and her subjects may be made within certain articles, outwardly to be seen to the world for honour, as though all the parts should come of her, and yet for the surety of contraries, that certain betwixt her and the queen's majesty are to be concluded.

## No. XXXI. (Vol. II. p. 150.)

Queen to Sir Francis Knolleys, 22 Jan.  
1568-9.

[Paper-office.]

greet you well, we mean not at this point, by any  
to renew that which it hath pleased God to make  
to us and sorrowful to yow; but forbearing the  
unmeet at this point, having occasion to command  
our service, and yow also whilst you are to serve  
e require yow to consider of this that followeth with  
sideration and diligence, as hitherto yow have ac-  
ute in our service: at the time of our last letters  
to yow the fourteenth of this month for removing  
queen of Scots, we had understanding out of Scot-  
certain writings sent by her from thence into Scot-  
mongst the which one is found to contain great and  
untruths touching us and others also, as shall un-  
inly appear unto yow by the copy of the same,  
ikewise we send you, and because at the same time  
e advertised, that it should be shortly proclaimed in  
d, though then it was not, we thought good first to  
the queen, before we would disclose the same, and  
pect the issue thereof; and now, this day, by letters  
ir cousin of Hunsdon we are ascertained, that since  
ne the same matters contained in the writing, are  
ed in diverse parts of Scotland, whereupon we have  
t it very meet, for the discharge of our honor, and  
ound the falsehood contained in that writing, not  
have the same reproved by open proclamation upon  
ntiers, the copy whereof we do herewith send yow,  
o in convenient sort to charge that queen therewith,  
e may be moved to declare the authors thereof, and  
lers of her to write in such slanderous sort such un-  
of us; and in the mean season, we have here stayed  
nmissioners, knowing no other whom we may more  
y presume to be parties hereunto, than they, until

now it is already published, as we are much tr  
mind that a princess as she is having a cause in  
so implicated with difficultys and calamitys, sho  
conceave in her own mind, or allow of them th  
devise such false, untrue, and improbable matter  
us, and our honor, and specially to have the av  
have the same being known so untrue to be publis  
you shall also say, because we will not think so i  
as that it should proceed of her self, but rather  
been counselled thereunto, or by abuse made to th  
part thereof to be true, we require her, even as  
look for ony favour at our hands, that she will  
herself as much as truly she may herein, and na  
which have been the authors and perswaders the  
so she shall make as great amends to us as the  
require; after you have thus far proceeded, and  
swer of her, whether she shall deny the writing a  
or name any that have been the advisers thereof,  
say unto her that we have stayed her commission  
until we may have some answer hereof, because v  
but impute to them some part of this evil dealing,

Francis Knolleys to queen Elizabeth, from  
Wetherby, the 28th January 1568.

[An Original. Paper-office.]

—I WILL suppress my own griefs, and pass them with silence, for the present learning of your majesty I for this queen's answer to the coppie of her supposed sent unto Scotland, I must add this unto my brother letter, sent unto Mr Secretary yesternight late; in as of time she did not deny but that the first lines ined in the same copie, was agreeable to a letter that ad sent unto Scotland, which touched my lord of Murther promise to deliver her son into your majesty's hands, o avoid that the same should not be done without her nt, made her, she saith, to write in that behalf: she also that she wrote that they should cause a proclamation to be made to stir her people to defend my lord of ay's intent and purpose, for delivering of her said son, mpunge his rebellious government, as she termed it, he utterly denyeth to have written any of the other erous part of the said letter touching your majesty; aid also, that she suspected that a Frenchman, now in and, might be the author of some Scotch letters de- in her name, but she would not allow me to write or any part of her answer.

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No. XXXII. (Vol. II. p. 158.)

Nicholas Throckmorton to the right honourable  
the lord of Liddington.

[20th of July 1569. From the Original.]

OUR letter of the 3d of July, I have received the 15th e same. For answer whereunto you shall understand,

OL. III.

B B

that friends here to my lord regent and you do wish such a concurrence in all doings, as in matter and circumstances there arise no dissention, or at the least, no more nor other than the difference of countries doth necessarily require. We here do think convenient that as few delays be used as may be, for the consummation of the matter in hand, which principally to advance, your allowance, prosecution, and speedy promotion in Scotland, is most requisite, for you are so wise, and well acquainted with the state of the world, and with all our humours, as you know that some do allow and disallow for reason, some for respect of multitude, some for respect of persons, and so the cause is to go forward as men do like to set it forward. You are not to seek that some will use cautions, some neutrality, some delays, and some will plainly impunge it. And yet all and every of these sorts will alter their doings, when they shall see the regent and his favourers accord with the best and greatest part there, and agree with the wisest and strongest part here. Tho' the matter has taken its beginning here, upon deep and weighty considerations, for the well of both the princes and their realms, as well presently, as in time to come, yet it is thought most expedient, that the regent and realm of Scotland, by you, should propose the matter to the queen our sovereign, if you like to use convenience, good order, or be disposed to leave but a scar, and no wound of the hurts past. I would be glad that this my letter should come to your hands before the convention, whereat it seems your queen's restoration and marriage to the duke of Norfolk should be propounded, either to wyne in them both allowance or rejection. To which proceedings, because you pray me to write frankly, I say and reason thus, me thinketh you use a preposterous order, to demand the consent of such persons, in such matters, as their minds to a good end hath rather been felt or prepared, and therefore there must needs follow either a universal refusal, or factious division amongst you, whereby a blustering intelligence must needs come to queen Elizabeth of the intended marriage from thence, which ought to have been secretly and advisedly propounded unto her highness; hereby you see then the meaning is, by this dealing, her majesty shall be made inexorable, and so bring the matter to such

se, as this which should have wrought surity, quietness, a stay to both queens and their realms, shall augment our calamity, and throw us your best friends into divorce from you, and into unhappy division amongst ourselves; you may not conjecture that the matter is now in deliberation, but expecteth good occasion for executing; sure in you do not judge so slenderly of the managing of this matter, as to think we have not cast the worst, or to enter upon so far without the assistance of the nobility, the best, the wisest, and the mightiest of this realm, except when Elizabeth: from whom it hath been concealed until now, as the fittest minister, might propound it to her, on behalf of the regent, and the nobility of Scotland. How master Woddes defamations do carry them of queen Elizabeth's affections, and master secretary's, to assist the intent and to suppress the queen of Scots, I know not, is it not material; but I do assuredly think, that her Majesty will prefer her surety, the tranquillity of her reign, the conversation of her people, before any device, which may proceed from vain discourse, or imperfections of passions, and inconsiderate affections. And as for Mr secretary, you are not to learn, that as he liketh not to go fast afore, so he coveteth not to tarry too far behind, and specially when the reliques be of no great value or power. I could as well assure you of his magnanimity, and conformity, as of his present conformity, I would say confidently, may repose as well of him in this matter, as of the duke of Norfolk, the earls of Arundel, Pembroke, Leices-Bedford, Shrewsbury, and the rest of the nobility; all which do embrace and proteste the accomplishment of this. I have, according to your advice, written presently unto my lord regent, with the same zeal and care of his well being that I owe to him, whom I love and honour. Mr secretary hath assured unto him the queen of Scotland's our and good opinion, wherewith he seemeth to be well satisfy'd. If your credit be, as I trust, hasten your coming hither, for it is very necessary that you were here presently. Q. Elizabeth both doth write to my lord regent in such sort, as he may perceive Mr Wood's disreasures of her majesty's affection to be vain, and Mr Secretary otherwise bent than he conjectureth of him, the ef-

*probably Lord Burleigh.*

[1569. Harl. Lib. 37. B. 9. fo. 43.]

— BECAUSE I see that great advantage is  
small occasions, and that the mention of the ma  
twixt the queen my sovereign's mother, and the  
folk hath this while past been very frequent in  
realms, and then I myself to be spoken of as a  
which I perceive is at the last come to her maje  
I will, for satisfaction of her highness, and the  
of my duty towards her majesty, manifest unto y  
terest, and meddling in that matter, from the v  
ning, knowing whatsoever is prejudicial to her  
cannot but be hurtful to the king my sovereign  
realm, and me. What conferences was betwix  
of Norfolk, and any of them that were with me  
realm of England, I am not able to declare; bu  
wise forgetful of any thing that passed betwix  
me, either at that time, or since. And to the en  
jesty may understand how I have been dealt wi  
matter, I am compelled to touch some circumst  
fore there was any mention of her marriage. In  
the meeting of all the commissioners. I found

Upon a certain day the lord Lithington secretary rode with the duke to Howard, what purpose they had I cannot say, but that night Lithington returning, and entering in conference with me upon the state of our action, I was advised by him to pass to the duke, and require familiar conference, by the which I might have some feeling to what issue our matters would tend. According to which advice, having gotten time and place convenient in the gallery of the house where the duke was lodged, after renewing of our first acquaintance made at Berwick, the time before the assize of Leith, and some speeches passed betwixt us; he began to say to me, how he in England had favour and credit, and I in Scotland had will and friendship of many, it was to be thought there could be none more fit instruments, to travel for the continuance of the amity betwixt the realms, than we two. And so that discourse upon the present state of both, and how I was entered in that action tending so far to the queen's dishonour, I was willed by him to consider how matters stood in this, what honour I had received of the queen, and what inconveniences her defamation in the matters laid to her charge might breed to her posterity. Her respect was not little to the crown of England, there was but one heir. The Hamiltons my unfriends, had the next respect, and that I should esteem the issue of her body would be the more affectionate to me and mine, than any other that could attain to that crown. And so it should be meetest, that she affirmed her dismissal made in Lochlevin, and we do abstract the letters of her hand write, that she should not be defamed in England. My reply to that was, how the matter had passed in parliament, and the letters seen of many, so that the abstracting of the same could not then secure her to any purpose, and yet should we, in that doing, bring the ignominy upon us. Affirming it would not be fair for us that way to proceed, seeing the queen's majesty of England was not made privy to the matter as she ought to be, in respect we were purposely come in England for that end, and for the — of the grants of our cause. The duke's answer was, he would take in hand to handle matters well enough at the court. After this, on the occasion of certain articles, that were required to be resolved on, before we entered on the



declaration of the very ground of our action, we came up to the court: where some new commissioners were adjoined to the former, and the hearing of the matter ordained to be in the parliament house at Westminster, in presence of which commissioners of the said queen, and ——— through the ——— rebuking of the queen of England's own commissioners, we uttered the whole of the action, and produced such evidences, letters, and probations, as we had, which might move the queen's majesty to think well of our cause. Whereupon expecting her highness' declaration, and seeing no great likelihood of the same to be suddenly given, but daily motions then made to come to an accord with the said queen, our matters in hand in Scotland, in the mean season, standing in hazard and danger, we were put to the uttermost point off our wit, to imagine whereunto the matters would tend, tho' albeit we had left nothing undone for justification of our causes, yet appeared no end, but continual motions made to come to some accord with the queen, and restore her to whole or half reign. I had no other answer to give them, but that I should neither do against conscience or honour in that matter. Notwithstanding seeing this my plain answer wrought no end, nor dispatch to us, and that I was informed that the duke began to mislike of me, and to speak of me, as that I had reported of the said queen irreverently, calling her ——— [probably *adulterer*] and murderer, I was advised to pass to him, and give him good words and to purge myself of the things objected to me, that I should not open the sudden entry of his evil grace, nor have him to our enemy ——— considering his greatness. It being therewithal whispered, and shewed to me, that if I departed, he standing discontented and not satisfied, I might peradventure find such trouble in my way, as my throat might be cut before I came to Berrick. And therefore since it might well enough appear to her marriage, I should not put him in utter despair, that my good will could not be had therein. So few days before my departing I came to the park in Hampton court, where the duke and I met together, and there I declared unto him that it was come to my ears, how some misreport should be made of me to him, as that I should speak irreverently and rashly of the said queen my sovereign's mother, such words as be-

pressed, that he might —— [probably *suspect*] my affection to be so alienate from her, as that I not love her, nor be content of her preferment, how might persuade himself of the contrary, for as she is the person in the world that I loved best, having honour to be so near unto her, and having received advancement and honour by her, I was not so ungrateful as to wish her body harm, or to speak of her as untruly reported of me, (howsoever the truth be of the self) and as to the preservation of her son, now prince, had moved me to enter into this cause, and my own pressing was the occasion of that was uttered —— [probably *dishonour*] whensoever God should move her heart to repent of her bypast behaviour and life, or her known repentance, that she should be separated from that ungodly and unlawful marriage that she entered in, and then after were joined with such an dishonourable a personage, as were affectioned to the religion, and whom we might trust, I could find heart to love her, and to shew her as great pleasure, and good will, as ever I did in my life: and in case it should be that personage, there was none whom I could like of, the queen —— in —— of England being contrary to the matter, and she allowing thereof, which one, I should labour in all things that I could, to honour and pleasure, that were not prejudicial to the queen's sovereign's estate, and prayed him not to think of me, for my affection was rather buried hidden within me, awaiting until God should direct her now herself, than utterly alienated and abstracted from; which he seemed to accept in very good part, Earl of Murray thou thinks of me that thing whereof will make none in England or Scotland privy, and hast Norfolk's life in thy hands. So departing, I to my lodging, and by the way and all night, I was continual thought and agitation of mind, how to behave in that weighty matter, first, imagining whereunto it would tend, if it were attempted without the queen's knowledge and good will, this realm myself in particular having received such favour and grace at her highness's hands, and this whole island

peace and quietness, since God possessed her majesty with her crown. And on the other part, seeing the duke had disclosed him to me, protesting, none other were or should be privy to our speech, I tho't I could not find in my heart to utter any thing that might endanger him; moved to the uttermost with these cogitations, and all desire of sleep then removed, I prayed God to send me some good relief and outgate, to my discharge, and satisfaction of my troubled mind, which I found indeed; for upon the morn, or within a day or two thereafter, I entered in conversation with my lord of Leicester, in his chamber at the court, where he began to find strange with me, that in the matter I made so difficult to him, standing so precisely on conference, and how when I had in my communication with the duke, come so far ——— and there he made some discourse with me, about that which was talke betwixt us, I perceiving that the duke had ——— [probably disclosed] the matter to my lord of Leicester, and thinking me thereby discharged at the duke's hands, therefore I repeated the same communication in every point to my lord of Leicester, who desired me to shew the same to the queen's majesty, which I refused to do, willing him if he tho't it might import her highness any thing, that he as one ——— by her majesty, and for many benefits received at her highness's hands is obliged to wish her well, should make declaration of the same to her majesty, as I understand by some speech of her highness to me, he did. This my declaration to the duke was the only cause, that staid the violence and trouble prepared for me unexecuted, as I have divers ways understood. The same declaration I was obliged to renew since in writings of ——— sent to my servant John Wood. The sum whereof, I trust, he shewed the duke, and something also I wrote to himself, for it was tho't this should redeem some time, that the duke should not suddenly declare him our enemy, for his greatness was oft laid before me, and what friendship he had of the chief of the nobility in England, so that it might appear to the queen's majesty of England—so cold towards us, and doing nothing publicly that might seem favourable for us, we had some cause to suspect that her highness should not be contrarious to the marriage when it should

e proposed to her. The sharp message sent by her majesty with the lord Boyd, who had the like commission from the duke tending so far to the said queen's preferment, as it were proposing one manner of conditions from both, gave us to think that her highness had been foreseen in the duke's design, and that she might be induced to allow thereof. But howbeit it was devised in England, that the lord of Lethington should come as from me, and break the matter to her highness, as her majesty in a letter declared that she looked for his coming, yet that devise proceeded never of me, nor the noblemen at the convention would no wise accord to his sending, nor allow of the matter motioned, but altogether disliked it, as bringing with the same great inconveniences to the surety and quietness of this whole isle; for our proceedings have declared our disliking and disallowance of the purpose from the beginning, and if we had pleased he was ready for the journey. And in likewise it was devised to give consent that the — [probably *divorce*] between the said queen and Bothwell, should be suffered to proceed in this realm, as it was desired by the said lord Boyd, by reason we could not understand what was the queen's majesty's pleasure, and allowance in that behalf ——— And whereas ye mean, that her highness was not made privy of any such intention, the fault was not in me. The first motion being declared, as we have written, to my lord of Leicester, and by him imparted to her majesty, so far as I could perceive by some speech of her highness's to me, before my departing. Thus we have plainly declared how I have been dealt withal for this marriage, and how just necessity moved me not to refuse directly, that which the duke appeared so ——— unto. And for my threatenings, to assent to the same, I have excused the manner; the persons that laid the matter before me, were of my own company. But the duke since hath avowed, that it was his writing which saved my life at that time. In conclusion I pray you persuade her majesty, that she let no speeches nor any other thing passed and objected to my prejudice, move her majesty to alter her favour—towards me, or any ways to doubt of my assured constancy towards her highness; for in any thing which may tend to her honour and surety, I will, while I live,

stow myself, and all that will do for me, notwithstanding my hazard or danger, as proof should declare, when er majesty finds time to employ me.

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No. XXXIV. (Vol. II. p. 171.)

William Maitland of Ledington, to my Lord of Leicester, March 20th, 1570, from Ledington.

[An original.]

THE great desolation threatened to this whole realm, be the divisions thereof in dangerous factions, doth press me to frame my letters to your lordship, in other sort, than were behovefull for me, if I had no other respect, but only to maintain my private credit; therefore I am driven to furnish them with matter, which I know not to be plausible, whereupon my misconstruing my meaning, some ther may take occasion of offence, thinking that I rather utter my own passions, than go about to inform your lordship truly of the state; but I trust my plain dealing shall be record to the sincerity of my meaning; to make the same sensible, I will lay before your lordship's eyes, the state of this country; which first is divided into two factions, one pretending the maintenance of the king's reign, other alledging the queen to have been cruelly dealt withall, and unjustly deprived of her state; the former is composed of a good number of nobility, gentlemen, and principal burroughs of the realme, who shall have as Mr dolph beareth us in hand, the queen's majesty your reign's allowance and protection: the other hath in it most principall of the nobility, and therewithall, good bers of the inferior sort, throughout the whole realm, also look assuredly that all kings do allow their aid and will aid them accordingly. What consequent division will draw after it, I leave it to your lordship's consideration; there is fallen out another division, a

my lord regent's death, which is like to change of the other two factions, to encrease the one, and the other, which is grounded upon the regiment alm. Some number of noblemen aspire to the government, pretending right thereto by reason of the queen's commission of the crown, and her commission granted at the request of the king's minority; but the action doth altogether repine against that division, it neither fit nor tolerable, that three or four of the best sort amongst the earls, shall presume to challenge themselves a rule over the whole realme, the next of blood, the first in rank, the greatest alway both for the authority of their houses, degree, and forces, being neglected in this order they think preposterous, that the next of blood shall be placed in public function to command, the next shall continue as private men to obey; because they think if the commission had in the beginning been made more valuable, (which the most part will not grant) it should not be extended to the present, for that the commissions heretofore annexed are ceased, and so the effect of the commission is void; the latter part of this division hath many objections, for besides the queen's faction, which is wholly contrary to the king's obedience, do favour the same, and will not be subject to the government of the other, whose preferences they mislike, when the queen's faction is increased, with a part of the king's, and these notwithstanding, and yow may judge what is like to ensue in another incident is like to move men to enter in further disorders, it is given out here in Scotland that the king's majesty is setting forth some forces towards the north which shall enter this realm, to countenance these, and to the regiment, and suppress the contrary factions; rumours are spread, that the same shall be here out of these that think themselves of equal force with any other faction at home, are rather an overmatch to be not able to encounter with the forces of another rather than yield to their inferiors, will, I fear, take necessity, and evil counsellors, and seek also the assistance of some foreign prince, whereby her majesty further inconvenient were to be feared, must be

driven to excessive charges, and it would appear there were a conspiracy of all the elements at one time to set us together by the ears, for now when the rumour of your forces coming towards the border is spread abroad, even at the same time is arrived at Dumbarton, a gaisken with a messenger sent expressly from the king of France, to that part of the nobility that favours the queen, to learn the state of the country, and what support they lack or desire, either for furtherance of her affairs, or for their own safety; assuredly this message will be well received, and suffered accordingly, this is the present state of Scotland. Now, if your lordship would also know my opinion, how to chaise the best, as the case standeth; I will in that also advise your lordship, I am required from them to deal plainly, and your lordship shall judge whether I do so or not; for I think it plain dealing, when I simply utter my judgment, and go not about to disguise my intents. I trust the queen's majesty hath a desire to retain at her devotion the realme of Scotland, which she hath gone about to purchase, with bestowing great charges, and the loss of some of her people; this desire is honourable for her highness, profitable for both the countrys, and of none to be disallowed; specially if it be (as I take it) to have the amity of the whole realme, for it is not a portion of Scotland can serve her turn, nor will it prove commodious for her to suit the friendship of a faction of Scotland, for in so doing, in gaining the best, she may lose the more, and the same would bring all her actions with us in suspicion, if she should go about to nourish factions amongst us, which meaning I am sure never entered into her majesty's heart; then if it be the friendship of the whole she doth demand, let her not, for pleasure of one part, go about to overthrow the remnant, which will not be so faisable, as some may give her to understand; but rather, by way of treaty, let her go about to pacify the whole state, bring the parties to an accord, reduce us all by good means to an uniformity, so shall she give us all occasion to think well of her doings, that she tendeth our wealth, and provokes us universally to wish unto her majesty a most prosperous continuance; by the contrary, if, for the pleasure of a few, she will send forces to suppress these whom they dislike, and so consequently

nany; men be not so faint hearted, but they have to provide for their own safety, and not only will the means partly offered, but will also procure further the hand of other princes. This for mine own do abhor, and protest I desire never to see forces of us to set foot within this land, yet I know not what necessity may drive men into, as if men in the middle sea were in a ship, which suddenly should be set on a fear of burning would make them leap into the sea soon after the fear of the water would drive them again to the fired ship, so for avoiding present evil, I many times be enforced to have recourse to another less dangerous. Trust me forces will not bring any good fruit to her majesty's behove, it must be way of treaty shall serve the turn, wherein by my letters your lordship doth know already what is my intent; you see how plainly I do write, without consideration in what part my letters may be taken, yet my intent that such as will favourably interpret them, shall understand I mean as well to her majesty, and that realme, that will utter other language. I wish the continuance of the amity betwixt the two countrys, without respect, and will not conceal from her majesty any thing of my knowledge, tending to the prejudice thereof; I perceive her majesty taking frank dealings in evil shall from thenceforth forbear; in the mean season I do not cease to trouble your lordship, as I shall have cause to write, and so I take my leave of your lordship.

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No. XXXV. (Vol. II. p. 177.)

of Queen Elisabeth to the Earle of Sussex,  
seks, July 2d, 1570.

[Calderw. MS. History, vol. 2. p. 189.]

My trusty and well beloved cousin, we greet you  
and is day we have received your letters of 28 the last.

, III.

¶ C



month, with all other letters, sent from Scotland, as mentioned in your letters, whereunto answer is desired given before the tenth of this month; which is a very time, the weightiness of the matters, and the distance of the places considered; nevertheless we have, as the necessity could suffer it, resolved to give this answer forth which we will that you, by warrant hereof shall be given in our name to the earl of Lennox and to the noblemen conveyed with him. Where it is mentioned in their letters, and writings alledged, that for lack of a resolute answer, concerning the establishing of the government of the realm, under their young king, great inconveniences have happened, and therefore they have deferred their last convention to determine of the same, and have the place of governour, until the 21st of this month, for which time they require to have our advice, person or persons the government of that realm established, we accept very thankfully the good will and reputation they have of us, in yielding so frankly to our advice and follow our advice in a matter, that toucheth the honour of their king, themselves, and realm so near, where we perceive, that by our former forbearing to interpose therein, they have taken some discomfort, as though we would not have regard to their state and sure the other part, they of their wisdoms ought to think it might be by the whole world evil interpreted if we appoint them a form of government, or a government name, for that howsoever we should mean well if we do so, yet it could not be without some jealous heads of the estate, nobility, and community of the realm that the government thereof should be by men named, and ordained; so as finding difficulty on both sides and yet misliking most that they should take any comfort by our forbearing to show our mind therein, we thought in this sort for to proceed, considering ourselves how now that realm had been a good space ruled in the name of their king, and by reason of age, governed heretofore by a very careful and honest person, the earl of Murray, untill that by a mischance (an evil example) he was murdered, whereby great disorder and confusion of necessity had, and will more

ination be not made of some other special person, or, to take the charge of governor, or superior ruler, for administration of law and justice, we cannot but all allow the desire of these lords to have some special governor to be chosen; and therefore being well assured, their own understanding of all others is best to consider the state of that realm, and to discern the abilities and merits of every person meet and capable for such a charge, will better satisfy ourselves, whom they by their consent shall first choose, and appoint to that purpose, if any to be by us aforehand uncertainly named, and cause they shall perceive that we have care of the good of their king, who by nearness of blood, and in respect of his so young years, ought to be very tender and careful of us, we shall not hide our opinion from them, but if we shall all accord to name his grandfather, our cousin, Lord of Lennox to be governor alone, or jointly with (whom we hear to be in the mean time by their own consent appointed lieutenant general) reason moves us to think that none can be chosen in that whole realm, who will more desire the preservation of the king, and be more ready to meet to have the government for his safety, being so near him in blood of any nobleman of that realm, or country; and yet hereby, we do not mean to prescribe any in this choice, except they shall of themselves fully and freely allow thereof; furthermore we would have them well assured, that whatsoever reports of devises are, or shall be made or invented, that we have already yielded our assent to alter the state of the king or government of that realm, the same are without just cause or ground by us made; for as we have already advertised them, that although we have yielded to hear, which in honour we could not refuse, what the Queen of Scots on her part shall say and do, not only for her own assurance, but for the wealth of the realm, yet not knowing what the same will be, that we have offered, we mean not to break the order of law and equity, by advancing her cause, or prejudging her contrary, for we shall deliberately and assuredly see, upon the consideration of the whole, some place necessary, and just cause, and therefore find that realm ruled by a king, and so is affirmed by laws of that realm, and thereof invested,

by coronation and other solemnities used and requisite and generally so received be the whole estates, we mean not by yielding to hear the complaints or informations of the queen against her son, to do any act whereby to make conclusion of governments, but as we have found it, so to suffer the same to continue, yea not to suffer it to be altered by any means that we may impeshe, as to our honour it doth belong, as by your late actions hath manifestly appeared, untill by some justice, and clear cause, we shall be directly induced otherwise to declare our opinion; and this we would have them to know to be our determination and course that we mean to hold, whereon we trust they for their king may see how plainly and honourably we mean to proceed, and how little cause they have to doubt of us, whatsoever to the contrary they have or shall hear; and on the other part, we pray them of their wisdom to think how unhonourable, and contrary to all human order it were for us, when the queen of Scotland doth so many ways require to hear her cause, and doth offer to be ordered be us in the same, as well for matters betwixt ourselves and her, as betwixt herself and her son and his party of that realm, against which offers no reason could move us to refuse to give ear, that we should aforehand openly and directly, before the causes be heard and considered, as it were, give a judgment or sentence either for ourselves or for them whom she maketh her to be her contraries. Finally ye shall admonish them, that they do not, by misconceiving our good meaning towards them, or by indirect assertions of their adversary grounded on untruths, hinder or weaken their own cause, in such sort, that our good meaning towards them shall not take such effect towards them, as they shall desire, or themselves have need of. All this our answer ye shall cause be given them, and let them know, that for the shortness of time, this being the end of the second of this month, we neither could make any longer declaration of our mind, nor yet write any several letters, as if time enight have served we would have done. 2d July 1570.

## No. XXXVI. (Vol. II. p. 177.)

The Bishop of Ross to Secretary Lidington from  
Chattisworth.

[15th June 1570.]

I HAVE received your letters dated the 26th of May, here at Chattisworth, the 10 of January, but on the receipt thereof I had written to you at length, like as the queen did with my lord Levingston, by the which you will be resolved of many points contained in your said letter. I write to you that I received your letter and credit from Thomas Cowy at London, and sent to Leicester to know the queen of England's mind whether you should come here or not. He sent me word, that she will no ways have you come as one of the commissioners, because she is yet offended with you; and therefore it appears good that ye come not hither, but remain where you are, to use your wisdom and diligence, as may best advance the queen's affairs, for I perceive your weill and safety depends thereon, in respect of the great feid and ennimity born against you by your Scots people, and the great heirship taken of your father's landis; both were sure demonstrations of their malice. Yet I am encouraged by your stout and deliberate mind. Assure yourself no diligence shall be omitted to procure supports forth off all parts where it may be had. We will not refuse the aid neither of Papist, Jew, nor Gentil, after my advice; and to this end, during this treaty, let all things be well prepared. And seeing my lord Seaton is desirous to go into Flanders, the queen thinks it very necessary that he so do, for the duke D'Alva has gotten express command of the king of Spain to give support, and I am sure that there he shall have aid both of Flanders and the pope, for it abides only on the coming of some men of countenance, to procure and receive the same. He must needs tarry there, on the preparations thereof, during the treaty, which will be a great furtherance to the same here. The queen has already written to the duke D'Alva for this effect, advertizing of his coming; there is certain sums of money coming for

support of the Englishmen, as I wrote to you before from the pope. Whereupon I would he had a general commission to deal for them, and receive such sums as shall be given. The means shall be found to cause you to be answerit of the sums you write for, to be disposit upon the furnishing of the castle of Edinburgh, so being some honest and true man were sent to Flanders to receive it, as said is, which I would you prepared and sent. Orders shall be taken for the metals as you write of. We have proponit your avyce in entering to treat with the queen of England, for retiring of her forces punctually for lack of aid. Your answers to the Englishmen are tho't very good, but above all keep you weill out of their hands, in that case, *estote prudentes sicut serpentes*. You may take experience with the hard dealing with me, how ye would be used if ye were here, and yet I am not forth of danger, being in *media nationis prave*; always no fear, with God's grace, shall make me shrink from her majesty's service. Since the queen of England has refused that you come here, it appears to me *quod nondum est sedata melitia amorreorum*, &c. and therefore if Athol or Cathenes might by any means be procured to come, they were the most fit for the purpose, Rothes were also meet, if he and I were not both of one sirname; so the treaty would get the less credit either in Scotland or here. Therefore avys, and send the best may serve the turn, and fail not Robert Melvil come with them, whoever comes, for so is the queen's pleasure; in my last packet with James Fogo, to you, in the beginning of May, I sent a letter of the queen's own handwriting to him, which I trust ye received. I am sorry ye come not for the great relief I hoped to have had by your presence, for you could well have handled the queen of England, after her humour, as you were wont to do. The rest I refer to your good wisdom, praying God to send you health. From Chatisworth the 15th of January.

## No. XXXVII. (Vol. II. p. 198.)

The declaration of John Cais to the Lords of Grange and Lethington zoungeare upon the 8th day of Oct. 1571.

WHEREAS you desire to know the queen's majesty's pleasure, what she will do for appeasing of these controversies, and therewith has offered yourselves to be at her commandment, touching the common tranquillity of the whole isle, and the amity of both realms; her pleasure is in this behalf, that ye should leave off the maintenance of this civil discord, and give your obedience to the king, whom she will maintain to the utmost of her power.

And in this doing, she will deal with the regent and the king's party, to receive you into favour, upon reasonable conditions for security of life and livings.

Also she says that the queen of Scotts, for hat she has practised with the pope and other princes, and also with her own subjects in England, great and dangerous treasons against the state of her own country, and also to the destruction of her own person, that she shall never bear authority, nor have liberty while she lives.

If ye refuse these gentle offers, now offered unto you, she will presently aid the king's party, with men, ammunition, and all necessary things, to be had against you.

Whereupon her majesty requires your answer with speed, without any delay.

## No. XXXVIII. (Vol. II. p. 210.)

Articles sent by Knox to the general Assembl  
August 5th, 1572.

[Calderw. MS. History, vol. 2. 356.]

FIRST, desiring a new act to be made ratifying all th  
concerning the king and his obedience that were enacte  
before without any change, and that the ministers who |  
contravened the former acts be corrected as accordeth.

That sute be made to the regent's grace and nob  
maintaining the king's cause, that whatsoever proceedet  
this treaty of peace they be mindful the kirk be not  
judg'd thereby, in any sort, and they especially of the  
nisters, that have been robbed of their possessions wi  
the kirk during the time of the troubles, or otherwise  
and injured, may be restored.

To sute at the regent, that no gift of any bishopric  
ether benefice be given to any person contrary to the t  
of the acts made in the time of the first regent of good  
mory, and they that are given contrar the said acts, c  
any unqualified person, may be revoked and made nul  
an act of secret council, and that all bishopricks, so vac  
may be presented, and qualified persons nominat thereu  
within a year after the vaking thereof, according to the  
der taken in Leith be the commissioners of the nobility  
of the kirk in the month of January last, and in specis  
complain upon the giving of bishoprick of Ross to the  
Methven.

That no pentions of benefices, great or small, be give  
simple donation of any lord regent, without consent of  
possessor of the said benefices having tittle thereto, and  
admission of the superintendant or commissioners of  
province where this benefice lyeth, or of the bishops  
fully elected according to the said order taken at Le  
and desire an act of council to be made thereupon, unti  
next parliament, wherein the samine may be specially  
acted, with inhibition to the lords of session to give

atters or decreets, upon such simple gifts of benefices or entions not being given in manner above rehearsed, and that the kirk presently assembled declare all such gifts null so far as lyeth in their power.

That the first form of presentation to benefices, which were in the first and second regent's time, be not changed now it is commonly; but that this clause be contained in the presentation, that if the person presented make not assistance, or be slanderous or found unworthy either in life or doctrine be the judgment of the kirk (to which alwise he shall be subject) or meet to be transported to another room out of the sight of the kirk, the said presentation and all that shall fall thereupon shall be null and of no force nor effect; and this to have place also in the nomination of the bishops.

That an act be made in this assembly that all things done in prejudice of the kirk's assumption of the third, either by papists or others, by giving of fews, liferents, or lands, or any otherwise disposing the said assumed thirds, be declared null with a solemn protestation the whole kirk assenteth thereto.

That an act be made decerning and ordaining all bishops, submitted to the order of the kirk now received, to give account of their whole rents, and intromissions therewith once in the year, as the kirk shall appoint, for such causes as the kirk may easily consider the same to be most expedient and necessary.

Anent the jurisdiction of the kirk, that the same be determined in this assembly, because this article hath long been postponed to make sute to the regent and council for remedy against messengers and excommunicate persons.

Last, that orders be taken anent the procurers of the kirk, who procure against ministers and ministry, and for setting of justice of the kirk's actions in the session.



## No. XXXIX. (Vol. II. p. 216.)

## Declaration of Henry Killigrew, Esq; upon the peace concluded the 23d Feb. 1572.

Be it known to all men, by these presents, that I Henry Killigrew, esq; ambassador for the queen's majesty of England, Forasmuch as, at the earnest motion and solicitation being made to me, on her highness's behalf, there is accord and pacification of the public troubles and civil war within this realm of Scotland agreed and concluded, and the same favourably extended towards the right honourable George earl of Huntly, lord Gordon and Balidenuch, and the lord John Hamilton, son to the duke's grace of Chastellaraunt, and commendatour of the abbey of Abbrothock, for the surety of their lives, livings, honours, and goods of them, their kinsfolks, friends, servants, and partakers, now properly depending on them; in treating of the which said pacification, the murderers of the late earl of Murray, uncle, and the earl of Levenax, grandfather, late regent to the king's majesty of Scotland his realm and lieges, as also an article touching the discharge for the fructus or moveable goods, which the said persons have taken fra persons professing the king's obedience, before the damages done or committed by them, since the 15th day of Junij 1567, and before the penult day of July last by passed, by reason of the common cause or any thing depending thereupon, being thought by the king's commissaries in matters of such wecht and importance, as the king's present regent could not conveniently, of himself, remit or discharge the same. Yet in respect of the necessity of the present pacification, and for the weill of the king, and common quietness of this realm and lieges, it is accorded, that the matters of remission of the said murderers, and of the discharge of the said fructis, moveable goods, and other damages, be moved by the persons desiring the said remission and discharge to the queen's majesty my sovereign, as to the princess nearest both in blood and habitation to the king of Scots. And whatsoever her majesty shall ad-

se and counsel touching the said remission and discharge, the said lord regent, for the weill of the king and universal quietness of the realm of Scotland, shall perform, observe, and fulfil the same. And in likewise, the said earl Huntly, and commendatour of Abirbrothock, being urged to have delivered pledges and hostages for observation of the conditions of the said accord and pacification, hath required me in place thereof, in her majesty's name, by virtue of my commission, to promise for them, that they shall truly and faithfully observe and keep the said pacification, and the articles and conditions thereof, for their parts, and that would please her majesty to interpose herself, as surety and cautioner for them to that effect, to the king's majesty Scotland their sovereign and his said regent, which I have done and promise to do, by virtue of her majesty's commission, as by the honourable and plain dealing of the said earl and lord, their intention to peace well appears, the same being most agreeable to the mind of the queen's majesty my sovereign, which so long by her ministers hath travailed for the said pacification, and in the end, at her motion and solicitation, the same is accorded, knowing her majesty's desire, that the same may continue unviolated, that the noblemen and others now returning to the king's obedience shall have sufficient surety for their lives, rings, honours, and goods. Therefore in her majesty's name, and by virtue of my commission, I promise to the foresaid earl Huntly and commendatour of Abirbrothock, that by her majesty's good means, the said remission and discharge shall be purchased and obtained to them, their consorts, friends, servants, and partakers, now properly depending upon them (the persons specified in the first abstinence always excepted), as also that the said pacification shall be truly observed to them, and that her majesty shall interpose herself as conservatrix thereof, and endeavour herself to cause the same to be truly and sincerely kept in all points and articles thereof accordingly. In witness hereof, I have to this present subscribed with my hand, and sealed the same with mine own seal the 13th day of Feb. Anno Domini 1572. And this to be performed by me, betwixt the date hereof, and the parliament which shall be appointed for their restitution, or at the furthest before the end of the said parliament. Sic subscribitur.

## The Bishop of Glasgow's note concerning Queen of Scotland's dowry.

[1576. Cott. lib. Calig. B. 4.]

THE queen of Scotland, dowager of France, had dowry, besides other possessions, the dukedom of which was solemnly contracted and given to her king and estates of parliament; which dukedom possessed peacefully till 1567, and then, upon the pact betwixt the king and Mons. his brother, to augment appennage this dutchy was given, to which the q Scotland yielded upon account of princes, who w near relations, provided the equivalent which was p her should be faithfully performed. So that year, great many solicitations, in lieu of that dutchy, granted her the county of Vermandoise with the bailliwick of Seuley and Vetry; tho' 'tis known that and the other lands were not of equal value with but was promised to have an addition of lands in the hourhood to an equal value. Upon this letters pate granted, which were confirmed in the courts of park chamber of accounts, court of aids, chamber of the tr and others necessary; upon which she entered into sion of that county, &c. Afterwards, by a valuation commissioners of the chamber of accounts, it was that the revenue of that county, &c. did not am those of Turene, by 3000 livres. But instead of up this deficiency according to justice, some of the council, viz. M. de Cheverney, the presidents of Be Nicocholy, and St. Bonet, in the name of the king withstanding of her aforesaid losses, did sell and the lands of Senlis, and the dutchy of Estaimpes, to de Montpensier, from whom the king received mon which sale the counsellors aforesaid obliged themselves guarantees, which hath hindered the aforesaid q have justice done her. So that madame de Mont hath been put in possession of these lands of Senli trary to all the declaration, protestation, and assura the king of France to queen Mary's ambassadors. 1

the queen of Scotland is dispossessed of her dowry, contrary to all equity, without any regard to her quality.

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No. XL. (Vol. II. p. 222.)

A letter from the Lord of Lochlevin to the  
Regent Mortoun.

[3d March, 1577. E. of Mortoun's Archives. Bundle B.  
No. 19.]

IT will please your grace, I received your grace's letter, and has considered the same. The parson of Camsey was here at me before the receipt thereof, directed fra my lord of Mar, and the master anent my last written, which was the answer of the writing that the master sent to me, which I send to your grace, desiring me to come to Sterling to confer with them. I had given my answer before the receipt of your grace's letter, that I behuiffit to be besyd Sanct Androis, at ane friends tryst, which I might not omit ; I understand by my said cousin, that the king's majesty is to write to divers of the nobility to come there, anent your lordship's trial, and that he had written before his departure to my lord Monthrois. I understand likewise, he will write to your grace to come there for the same effect, which I tho't good to make your grace foreseen of the same, praying your grace, for the love of God Almighty, to look upon the best, and not to sleep in security, but to turn you with unfeigned heart to God, and to consider with yourself, that when the king's majesty was very young, God made him the instrument to divest his mother from her authority, who was natural princess, for offending of his Divine Majesty, and that there ran no vice in her, but that the same is as largely in you, except that your grace condescended not to the destruction of your wife. For as to harlotry and ambition, I think your grace has as far offended God, and far more in avaritiousness, which vyces God never left unplagued, except speedy repentance, which

I pray God grant to your grace, for otherwise your grace can never have the love of God nor man. I pray your grace flatter not yourself; for if your grace believes that ye have the good will of them that are the king's good willers ye deceive yourself; for surely I see perfectly that your own particulars are not contented, but be the rest, and that most principally for your hard dealing. I pray your grace, be with me that I am thus hampered, for certainly it proceeds from no grudge, but from the very affection of my heart towards your grace, which has continued since we were acquainted. And now I see, because the matter stands in your grace's handling with the king's majesty, for certainly if your grace fall forth with him now, I see not how ye shall meet hereafter; pray I your grace to call to God, and look on the best, and cast from your grace both your vices, to wit, ambition and avariciousness. I am riding this day to Sanct Androis, and trust to return on Wednesday at the farthest. If your grace will command me in any office that are honest, that I may do your grace pleasure in at Sterling, advertise of your grace's mind, and shall do to my power and knowledge, and this with my heartlie, &c. &c.

To our trusty cousin the Lord Lochleven.

[From the original. E. of Morton's Archives, Bund. B. No. 31.]

TRUSTY cousin, after our most hearty commendations, we received your letter of the 3d of March, and as we take your plainness therein in good part, as proceeding from a friend and kinsman, in whose good affection towards us we never doubted, so ye may not think it strange that we purge ourself so far of your accusation, as in conscience we find not ourself to have offended in. As touching our offence to God, we intend not to excuse it, but to submit us to his mercy: for ambition surely we think none can justly accuse us; for in our private estate we could, and can live as well contented, as any of our degree in Scotland, without further aspiring. The bearing too the charge of the government of the realm, indeed, must lead us, or any other that shall occupy that place, not simply to respect ourself,

but his majesty's rowme which we supply, and therein not transcending the bounds of measure, as, we trust, it shall not be found we have done, it ought not to be attributed to any ambition in us. For as soon as ever his majesty shall think himself ready and able for his own government, none shall more willingly agree and advance the same nor I, since I think never to set my face against him whose honour, safety, and preservation has been so dear unto me, nor I will never believe to find otherwise at his hand than favour, although all the unfriends I have in the earth were about him, to persuade him to the contrary. As we write unto you, our friendly dealing and confidence in the house of Mar is not thankfully acquit; as we trust yourself considers; but because the ambassadors of England, my lord of Angus, the chancellor, treasurer, and some noblemen rides west this day to see the king, we pray you heartily address yourself to be there as soon as ye can, and as ye shall find the likelihood of all things, let us be advertized thereof, with your own advice, by Alex<sup>r</sup> Hay, whom we have thought good to send west, seeing my lord of Angus from Sterling rides to Douglas. And so we commit you in the protection of God. At Holyrood house, the 4th of March 1577.

For the avaritiousness laid to our charge, indeed it lies not in us so liberally to deal the king's geare, as to satisfy all cravers, nor never shall any sovereign and native born prince, let be any officer, eschew the disdains of such, as thinks them judges to their own reward; in many causes I doubt not to find the assistance of my friends, but where my actions shall appear unhonest, I will not crave their assistance, but let me bear my own burthen.

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### No. XLI. (Vol. II. p. 249.)

Letter of Walsingham's to Randolph, Feb. 3,  
1580-1.

[Cott. Lib. Calig. C. 6.]

SIR,

I HAVE received from my lord lieutenant the copy of your letter of the 25th of the last directed unto his lord-

D D 2

ship, containing a report of your negotiation with him and his council, in your second audience, where she made her majesty acquainted, she seemed somewhat like that you should so long defer to deal for the interest of Empedocles. But I made answer in that I thought you were directed by the advice of Empedocles friends, in the soliciting of that I knew what time was fittest for you to take to do with most effect and best success, with which her majesty did in the end rest very well satisfied at that point.

Your putting of us in hope that d'Aubigny might be won at her majesty's devotion, was at first to have been ironically spoke by you. But since you insist upon it, I could wish you were otherwise persuaded of the man, or at least kept that opinion of self, for considering the end and purpose of his coming to Scotland, as may be many ways sufficiently plain, only to advance the queen's liberty, and reconvert the government, to overthrow religion, and to procure a match with Villenarius, wherein the inclosed certificate you may use to good purpose there, shall part some light; there is no man here can be persuaded will change his purpose, for so small advantage likely to find by it, and therefore you shall do well to bear to harp any more upon that string, as I have written to you. The prince of Orange sending, not be in time that it may do any good; for by these people are in themselves slow in their own affairs are, at present, so great, the confused, and the prince's authority so small, that so soon take order in it: and yet for mine own part I have not been negligent or careless in the matter, having within three weeks past, sent one about it, for nevertheless I do yet hear nothing. The letters should be written thither by the French minister, given order to Mr Killingrew to procure, who, I will carefully perform it, so that, I hope, I shall let you see by the next. And so I commit you to God. At Whitehall, the 3d of February 1580.

Your very loving cousin and servant,

FRA. WALSH

*This letter is an original, and in some parts of it wrote in cyphers and explained by another hand. By Empedocles is understood Morton. By Villenarius the king of Scots. D'Aubigny is marked thus* 0 1 0.

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3 Feb. 1580.

**Sundry notes gathered upon good diligence given, and in time to be better manifested, being now thought meet to be in convenient sort used and laid against D'Aubigny, to prove him abusing the king, the nobility, and that state.**

[Cott. Lib. Calig. c. 6. An original.]

**FIRST**, it hath been informed by credible means, that D'Aubigny was privy and acquainted with la Nevè the king's mother's secretary, coming into Scotland, and of his errand there, tending chiefly to persuade the king to think and esteem it an evil president for princes that subjects might have power to deprive their lawful sovereigns, as they did his mother, who was not minded by any mean, to defeat him, either of the present government of that realm, or yet of the possession of the crown and inheritance thereof, but rather to assure the same to him: and that for the accomplishment of that assurance, the king should have been advised and drawn to have governed, for some short time, as prince, calling D'Aubigny to rule as governor of the prince, by commission from the queen his mother, until the king's enemies were suppressed; after which time D'Aubigny should have power given to establish and resign that kingdom to the king, by his mother's voluntary consent, whereby all such, as had before been in action against the queen or her authority, might be brought to stand in the king's mercy. And for that the king, might live in more surety, D'Aubigny should be declared both second person in succession of that crown, and also liege.



one John Hamilton to the said lord John to execute this part, alledging, that he did forbear to com-  
plest thereby he should mar or hinder greater effe  
executed by him in Scotland.

That before his coming into that realm, the na-  
country were well quieted and united in good com-  
great love betwixt the king and nobility, and an  
noblesse, but hath both drawn the king against  
the chiefest of his nobility, that have been m-  
and have expended their blood and possessions t-  
religion, and defend the king's person, his gr-  
and estate, and also hath given occasion of great  
and offence to be engendered betwixt the king a-  
bility, and especially with such as have been  
against the king's mother, and her authority, wh-  
and means of the said commission and practi-  
have been brought into most dangerous condi-  
who also may find themselves in no small peril  
possesses the king's ear, abuseth his presence, as  
such of the principal keys and ports of his rea-  
presently enjoyeth.

That he hath drawn the king not only to forge  
benefits done to him and his realme, by the queen  
of England. but also to requite the same with su-

tion in the late negotiation of Mr Alexander Hume thberwick, had given order to the king's secretary e that letter: He minding to break the bond of n sunder, willed the secretary to be sure that no-ould be inserted in that letter whereby the king crave any thing at her hands, seeking thereby to all loving courtesies betwixt them, as by the declara-the said secretary may be better learned, and there-rther approved.

under the hope and encouragement of D'Aubigny's on, Alexander King presumed with that bold-make his lewd harangue, and by his means hath escaped chastisement and correction, due for his

sir James Baford, condemned of the slaughter of g's father, hath been called into the realme by Len-ithout the privy of the king. And whereas the Jams found in a green velvet desk, late the Earl well's and saw and had in his hands the principal the conspirators in that murder, and can best de-nd witness who were authors and executors of the he is drawn by Lennox to suppress the truth, and se such as he himself knoweth to be innocent; and rder of law, will be so found, if they may have due hich, contrary to all justice, is by Lennox means

*is the charge against D'Aubigny, mentioned in the g letter by Walsingham; but by Baford they mean es Balfour.*

FIRST, on their most christian majesty's part, make the most honourable salutation and visitis most serene king of Scotland, their good brother the son, that in him is possible.

To give him their letters that are closed, such like as they have written to him with their hands to show expressly the perfect friendship and singulation, that their majestys bear to him, and to be the answer.

To take heed to the things which touch near serene king, to the effect that his person may be in ger, but that it may be most surely preserved.

And that he be not hindered in the honest lib he ought to have, and that no greater, or straiter about him than he had before.

And such like, that he be not impeached in th rity, that God hath given to him of king and prin reign above his subjects, to the effect he may as i dain and command in his affairs, and in the affair country, with his ordinary council, as he was us of before.

That his nobility, barons, and commonality of l try may have their free liberty to resort to his ser jesty without suspicion of greater guards or mor

morality of the country convenes, and are content with the form of government presently with the said serene king, to the end that if there be any miscontent he may travaile to agree them together, and that he return not without the certainty of the samine.

And if he may understand that there be any who have not used them so reverently towards the said serene king their sovereign lord, as the duty of their obedience required, that he may pray on this behalf of his majesty most christian the said serene king his good brother, giving him council wholly to forget the same, and exhorting them to do their duty towards his majesty, in time coming, in all respects with the obedience and true subjection they ought him.

And if the said seigneur de la Motte perceives the said serene king to be in any manner constrained of his person, authority, liberty, and disposition of his affairs, then he used to be, and convenient for his royal dignity, or as the sovereignty of a prince does require, that he use all moyen, lawful and honest to place him in the samine, and that he employ as much as the credit of his most christian majesty may do toward the nobility, and subjects of that country, and as much as may his name, with the name of his crown towards the Scottish nation, the which he loves and confides in as much as they were proper Frenchmen.

And that he witness to the said serene king, and his states, of his consent, and to all the nobility and principall personages of the contry, that his most christian majesty will continue on his part in the most ancient alliance and confederacy, which he hath had with the said serene king his good brother, praying his nobility and contry, with his principall subjects, to persevere in the samine, in all good understanding and friendship with him; the which on his part, he shall do, observing the samine most inviolable.

Further his most christian majesty understanding that he serene king his good brother was contented with the duke of Lenox, and his servise, the said seigneur de la Motte had charge to pray his serene majesty that he might remaine beside him to his contentment, believing that he should more willingly intertain the points of love and consideration, betwixt their majestys and their contrys, because

he was a good subject to them both ; and if he might not remain, without some alteration of the tranquillity of his estate, that he might retire him to his own house in the said contry, in surenes, or if he pleased to return to France that he might surely — and if it pleases his serene majesty, to cause cease and stay the impeachments, that are made of new upon the frontiers, to the effect that the natural Frenchmen may enter as freely into the contry as they were wont to do of before.

And that there may be no purpose of diffamation, nor of speech but honourable of the most christian king, in that contry, but such like as is spoken most honourably of the serene king of Scotland in France.

He had another head to propone, which he concealed till a little before his departure, to wit, that the queen, the king's mother, was content to receive her son in association of the kingdom.

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### No. XLIII. (Vol. II. p. 283.)

Lord Hunsdon to Sir Francis Walsingham, the  
14th of August 1584, from Berwick.

[Calderw. MS. History, vol. 3. p. 374.]

SIR,

ACCORDING to my former letters, touching my meeting with the earl of Arran upon Wednesday last, there came hither to me from the earle, the justice clerk, and sir William Stuart, captain of Dumbarton, both of the king's privie council, to treat with me about the order of our meeting, referring wholly to me to appoint the hour, and the number we should meet withal ; so as we concluded the place to be Foulden, the hour to be ten o'clock, and the number with ourselves to be 13 of a side ; and the rest of our troops to stand each of them a mile from the town : the one on the one side, the other on the other side, so as our troops were two miles asunder ; I was not many horsemen,

supplied it with footmen, where I had 100 shot on but they were very near 500 horse well appointed : ling to which appointment, we met yesterday, and some congratulations, the erle fell in the like protestation of his good will and readines to serve the queen's y, before any prince in the world, next his sovereign, had done heretofore by his letters, and rather more ; each earnest vows, as unless he be worse than a devil, her majesty may dispose of him at her pleasure ; this being I entered with him touching the cause I had to deal in, and so near as I could, left nothing unrehearsed, had to charge the king or him with any unkind ; toward her majesty, according to my instructions, without any delay he answered presently, as ye shall see by the said answers sent herewith : but I replying in, he amplified them with many more circumstances, this effect. Then I dealt with him touching the loss of her majesty's satisfaction, for the uttering such as has been lately set on foot for the disquieting of her majesty and her estate, who thereof made sundry disorders, what marriages have been offered to his majestie drie princes, and by what means the earle has sought to alter them, and for what causes ; the one, for that he goes with Spain or France, he must also alter his religion, which as he is sure the king will never doe, so he never suffer him to hearken unto it, so long as he may credit with him ; he denys not but the king has meant withal he practices to deal against her majesty, he has so far denied and refused to enter into, as have left dealing therein, but whatsoever the king knoweth therein, there shall be nothing hidden from her majesty, as her majesty shall know very shortly ; it seems by his speeches, that if the king would have thereunto there had been no small company of men in Scotland ere now to disquiet her majesty.— Being ended, I dealt with him earnestly for the stay of the parliament, which now approacheth ; or at the least that there may be nothing done therein to the prejudice of these noblemen and others now in England, for the taking of their livings and goods ; hereupon he made a discourse to me, first of the earl of Angus dealing

about the earl of Morton, then of his going on standing of sundrie gracious offers the king had then of the raid of Ruthven, how that presently had the king's majesty in their hands, they himself, dealt with the king for putting of the the realme, the king refused so to do, they told that if he would not he should have the earl head in a dish; the king asked what offence th made? and they answered it must be so, and sh hereupon, for the safeguard of Arran's life, th content to send away the duke, and yet Arran sundrie times in danger of his life. I alledged the king's letter to the queen's majesty, and I counsell, that they had done nothing but for I and with his good liking and contentment, wh me he durst do no otherwise, nor could not do but that which pleased them, with such a numb their dealings with the king whilest he was in t as are too long to be written, and too bad if they I said the king might have let the queen's majest sador have known his mind secretly, and her maj have relieved him; he answered, that the king v norant that the apprehensions in that manner, from Mr Bow's practice, and thereby durst not much to him, and yet the king was content, an remission to as many as would acknowledge th and ask remission, and such as would not, he thc banish, to try their further loyalty, in which conspired the king's second apprehension, and t of the earle, and others, and seduced the ministe faction, and yet not satisfied with these conspi treasonable dealings (as he terms them), are ente third, being in England under her majesty's prot dishonour her majesty as far as in them lyeth. to cause the king conceive some unkindness in he for harbouring of them; I wrote to yow what t racy was, the taking of the king, the killing of tl Arran, and some others, the taking of the castle and bringing home the earles, to take the char king; all which (says he) is by Drummond conf by the provost of Glencudden not greatly denied

constable of the castle thereupon fled; the earl brought Drummond with him as far as Langton, where he lay, to have confessed the conspiracy before me, but having at his lighting received a blow on his leg with a horse, so as he could bring him no further, I replied that I thought verily they would not work any such practices in respect of the queen's majesty, abiding within her realme, and if there be any such practices, they have proceeded from others, and they not privie unto them: and that if it be not apparently proved against them, that it will be thought to be some practice to aggravate the fault, and to make them the more odious to the king. He answered me, that it should be proved so sufficiently, that they should not be able with truth to deny it, for their own hands is to be showed to part of it, and therefore concluded, that if her majesty should so press the king for them at this time, that would rather hinder this matter of the amity, nor further it, and that since they seek chiefly his life, he could not, in any reason, seek to do them any good; and besides he assured me, that if he would, he dare not, this last matter being fallen out as it is; and surely if this matter had not fallen out, I would not have doubted the restoring of the earl of Mar very shortly, if her majesty would have employed me therein, but for the earl of Angus, I perceive the king is persuaded that both he, and the rest of the Douglasses, have conceived so mortal an hatred against him and the earl of Arran, about the death of the earl of Morton, as if they were at home, to-morrow next, they would not leave to practice and conspire the death of them both, and therefore a hard matter to do any thing for him: finally, he concluded and required me to assure her majesty from the king, that there shall nothing be hid from her, nor any thing left undone that may satisfie her majesty with reason, and that the king shall never do any thing, nor consent to have any thing done in her prejudice, so long as he had any credit with him, or authority under him. Having this far proceeded, he desired to shew me his commission, which is under the great seal, to himself only, which is as large as may be, and yet sundrie of the privy counsil there with him, but not one in commission, nor present, nor near us all this time having spent almost five hours in



instruction being of no great importance, ne y  
sooner; and if Seaton has gone beyond his in  
which Arran drew himself, he will make Seaton  
it. Touching William Newgate, and Mark G  
protested he never heard of any such; he says t  
little poor soul with a black beard, came thither  
who said he was an enemy to Desmond, to whi  
a crown, but never heard of him since, and for  
man going into Ireland, he says there is no suc  
if there be, there may be some few raskals that  
not of; and touching the coming of any Jesuits  
land, he says it is but the slanderous device of  
enemys, and such as would have the world b  
king were ready to revolt in religion, who the w  
well see will continue as constant therein, as w  
soever professed it most; and the earl himself c  
to me, that to his knowledge, he never saw a Je  
life, and did assure me if there was any in Scotl  
should not do so much harm in Scotland, as the  
would do, if they preach such doctrine as they di  
land, and touching one Ballenden, of whom I  
yow, I heard from Mr Colvill, the earle avows  
that he knows not, nor hath not heard of any s  
but he would inquire at the justice clerk, and wor

s answers to the grieffs or articles presented to the Lord Hunsdon, set down in her form.

the strait and severe persecution of all such, as noted to have been well affected to the queen's, it cannot appear they were either for that cause, or hardly dealt with, since his majesty of late so careful and diligent to choise out good instructors to deal betwixt her majesty and him, as his majesty in electing of your lordship and me; besides their accusations, their good will and affection born her majesty was, at no time, laid to their charge, but actions of treason many way tried now be the whole states, and more than manifest to the world.

For his majesty inhibiting, by publick proclamation, were banished, not to repair in England; the bruits sperings that came to his majesty's ears, of their crimes and treasons, which since syn they accomplished as in them lay, moved his majesty to inhibit repair to any place, so near his majesty's realm, should have attempted these things, which shortly attempt, being farther off, and more distant both land.

For reception of Jesuits, and others, her majesty's, and not delivering them according to his promise, your lordship propones, his majesty would be most glad, it might fall out by your lordship's travails, that none of either realme should be received of either, and shall be, it shall not fail on his majesty's part, alway deede this time bygone his majesty has been readied to receipt her majesty's mean rebels and fugitives, in his good naturall, since her majesty hath received effect, the whole and greatest rebels and traitors in his own blood ever had; as for the agreement his majesty's mother anent their association, his majesty has commanded me, in presence of your lordship's, to assure her majesty and your lordship, in his name.

jesty's name, that it is altogether false, and an untrue any such like matter done yet.

His majesty has also commanded me to assure your ship, that it is also false and untrue, that his majesty by any means direct or indirect, sent any message to pope, or received any from him; or that his majesty dealt with Spain or any foreigners, to harm her majesty her realm, which his majesty could have no honour, this good intelligence taking place, as I hope in God shall.

As concerning the contemptuous usage of her majesty's ministers, sent unto his majesty, his majesty used not them so; and if his majesty had sufficient cause was by them, as some of their own writs do yet testify; more particularly showed your lordship at Foulden a late meeting.

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### No. XLIV. (Vol. II. p. 287.)

The Scottish Queen's offers upon the effect of her liberty propounded by her secretary N. November 1585.

[Cott. Lib. Calig. C. 8. A copy.]

THE queen my mistress being once well assured of his majesty's amity.

1. Will declare openly that she will (as it is sincerely meaning) straightly to join unto your majesty, and to the to yield and bear the chief honour and respect, before other kings and princes in Christendom.

2. She will swear, and protest, solemnly, a sincere getfulness of all wrongs which she may pretend to been done unto her in this realm, and will never, in sort or manner whatsoever, shew offence for the same.

3. She will avow and acknowledge, as well in her particular name, as also for her heirs and others descended of her for ever, your majesty, for just, true, and lawful queen of England.

4. And consequently, will renounce, as well for herself as for her said heirs, all rights and pretences which she may claim to the crown of England, during your majesty's life, and other prejudice.

5. She will revoke all acts and shews, by her heretofore made, of pretence to this said crown to the prejudice of your majesty, as may be the taking of the arms and stile of queen of England, by the commandment of king Francis her late lord and husband.

6. She will renounce the pope's bull for so much as may be expounded to turn in her favour, or for her behoof, touching the deprivation of her majesty, and will declare that she will never help and serve herself with it.

7. She will not prosecute, during your majesty's life, by open force or otherways, any publick declaration of her right in the succession of this realm, so as secret assurance be given unto her, or at the least publick promise, that no deciding thereof shall be made in the prejudice of her, or of the king her son, during your majesty's life, not after your decease, until such time as they have been heard thereupon, in publick, free, and general assembly of the parliament of the said realm.

8. She will not practise, directly or indirectly, with any of your majesty's subjects, neither within nor out of your realm, any thing tending to war, civil or foreign, against your majesty and your estates, be it under pretext of religion, or for civil and politick government.

9. She will not maintain or support any of your subjects declared rebels, and convicted of treason against you.

10. She will enter into the association, which was shewed her at Wingfield for the surety of your majesty's life, so as there be mended or right explicated some clauses which I will shew to your majesty, when I shall have the copy thereof, as I have before time required.

11. She will not treat with foreign kings and princes, for any war or trouble against this state, and will renounce, from this time, all enterprises made or to be made in her favour for that respect.

12. Furthermore, this realm being assailed by any civil or foreign war, she will take part with your majesty, and will assist you in your defence with all her forces and

especially the antient league between France and  
in that which shall not be against this present.

14. She will enter into a league offensive, by  
assurance or secret declaration and acknowledgment  
right in the succession of this crown, and upon  
happening any breach betwixt France and us  
(which she prayeth God never to happen) the jointure  
her dowry shall be placed for her in lands of the  
the crown.

15. For assurance of her promises and covenants  
doth offer to abide herself in this realm for a year  
(better hostage can she not give than her own person)  
so as she be kept in the liberty here before proposed  
not in case to escape secretly out of this country  
sickly state she is in, and with the good order  
majesty can take therein.

16. And in case your majesty do agree to her  
whole deliverance, to retire herself at her will  
realm, the said queen of Scots she will give surety  
tag for such time as will be advised.

17. If she abide in this realm, she will not  
depart out of it, without your licence, so as it be  
unto her that her state, in such liberty as shall be  
unto her, shall not be in any sort altered, untill

sifted for his conscience, nor constrained to go to the service of the contrary religion.

19. She will grant a general abolition of all offences done against her in Scotland, and things shall remain there as they are at this present, for the respect, saving that which hath been done against her honour, which she meaneth to have revoked and annulled.

20. She will travel to settle a sure and general reconciliation between the nobility of the country, and to cause to be appointed about the king her son, and in his council, such as shall be fit for the entertainment of the peace and quiet of the country, and the amity of the realm.

21. She will do her best to content your majesty, in favour of the Scots lords banished and refuged hither, upon their due submission to their princes, and your majesty's promise to assist the said queen and king of Scotland against them, if they happen to fall into their former faults.

22. She will proceed to the marriage of the king her son, with the advice and good council of your majesty.

23. As she will pass nothing without the king her son, so doth she desire that he interveen conjointly with her in this treaty, for the greater and perfecter assurance thereof; for otherwise any thing can hardly be established to be sound and continue.

24. The said Scotch queen trusteth, that the French king, her good brother, according to the good affection which he hath always shewed her, and hath been afresh testified unto me by Mons<sup>r</sup> de Mannissiere for this said treaty, will very willingly intervene, and will assist her for the surety of her promises.

25. And so will the princes of the house of Lorraine, following the will of the said king, will bind themselves thereunto.

26. For other kings and princes of Christendom, she will assay to obtain the like of them, if for greater solemnity and approbation of the treaty it be found to be necessary.

27. She doth desire a speedy answer, and final conclusion of the premises, to the end to meet in time with all inconveniencies.

38. And in the mean time, the move to utter said treaty, as made by her of a pure and firm desireth that demonstration be made of some of her captivity.

### Objections against the Scottish Queen : secretary Walsingham's hand, November

THE queen of Scots is ambitious, and standeth affected to her majesty, and therefore it cannot be her liberty should bring peril unto her majesty.

That her enlargement will give comfort to other ill affected subjects, and greatly advance the ambition had of her title as successor.

That as long as she shall be continued in her possession, she may serve as it were a gage of her surety, for that her friends, for fear of the danger be thrown into, in case any thing should be done in favour, dare not attempt any thing in offence of her majesty.

November 1584. { What course were fit to be taken with the queen of Scots to be enlarged or not.

[Cott. Lib. Cal. 8.]

THE course to be taken with the said queen is considered of in three degrees : either,

1. To continue her under custody in that state she now is.

2. To restrain her of the present liberty she now hath.

3. Or to set her at liberty upon caution.

1. Touching the first, to continue her under that state she now is ; it is to be considered, that the princes that favour that queen, upon the consideration of hard usage, are greatly moved with compassion towards her, and promise to do their utmost for her liberty, for which purpose her ministers are daily.

And to move them the more to pity her case, she acquainteth them with her offers made to her majesty, which appeared to be no less profitable than reasonable for her majesty, so as the refusal and rejecting giveth her friends and favourers cause to think her hardly dealt withal, and therefore may, with the better ground and reason, attempt somewhat for the setting of her at liberty.

It is also likely that the said queen, upon this refusal, finding her case desperate, will continue her practice under hand, both at home and abroad, not only for her delivery, but to attain to the present possession of this crown upon her pretended title, as she hath hitherto done, as appeareth, and is most manifest by letters and plots intercepted, and chiefly by that late alteration of Scotland, which hath proceeded altogether by her direction, whereby a gap is laid open for the malices of all her majesty's enemies, so as it appeareth that this manner of keeping her with such number of persons as she now hath, and with liberty to write and receive letters (being duly considered), is offensive to the prince, the said queen's friends; rather chargeable than profitable to her majesty; and subject to all such practices as may peril her majesty's person or state, without any provision for her majesty's safety, and therefore no way to be liked of.

2. Touching the second, to restrain her in a more straighter degree of the liberty she hath hitherto enjoyed.

It may at first sight be thought a remedy very apt to stop the course of the dangerous practices fostered heretofore by her: for, true it is, that this remedy might prove very profitable, if the realm of Scotland stood in that sort devoted to her majesty, as few years past it did; and if the king of that realm were not likely, as well for the release of his mother, as for the advancement of both their pretended titles, to attempt somewhat against this realm and her majesty, wherein he should neither lack foreign assistance, nor a party here within this realm: but the king and that realm standing affected as they do, this restraint, instead of remedying, is likely to breed these inconveniencies following:

First, it will increase the offence both in him, and in the rest of the princes her friends that misliked of her restraint.



secondly, it will give them just cause to take some way of revenge.

Thirdly, it is to be considered that it may provoke some disposition in different persons to abuse of her liberty removed, to attempt some violence against her majesty's own person (a matter almost too terrible to be thought of), which inconvenience is to be very much considered. It will appear manifestly, that the removal of a stranger's daughter is easily to prove a remedy against all very bad events.

The latter ought, whether it were fit to set the said queen at liberty, to consider some cause of doubt, touching the nature of the liberty, in what sort the same is to be permitted, whether to be continued here within the realm, or to be restored into her own country.

But first, this proposition, before the particularities be weighed, is to be considered in generality.

For it is very hard for a well-affected subject, that tendereth her majesty's surety, and weigheth either the nature of the Scottish queen, being inclined to ambition and revenge, or her former actions, what practices she hath set on foot most dangerous for her majesty and this realm, to allow of her liberty, being not made acquainted with such cases, as time hath wrought, to make it less perilous than it hath been, nor with such cautions as may, in some sort, be devised to prevent both her ambition and malice; and therefore, to make this apparent,

It is to be considered, that the danger that was in the mother, is now grown to be in the son. He pretendeth the same title she doth: Such as do affect her, both at home and abroad, do affect him (and he is the more dangerous for that he is unmarried, which may greatly advance his fortune; and that he is a man, whereby he may enter into action in his own person); where she is restrained, he is at liberty; his own realm is now altogether at his devotion, and the party affected to this crown abused; so as the matter duly considered, neither her liberty nor restraint doth greatly alter the case for perils towards her majesty, unless by such promises as may be made by way of treaty with her, the danger likely to grow from the king her son to be provided for.

But in this behalf it may be objected, that so long as the

mother remains in her majesty's hands, the king will attempt nothing for fear of his mother's peril.

To this objection it may be answered, first, That they hope that her majesty, being a prince of justice, and inclined to mercy, will not punish the mother for the son's offence, unless she shall be found, by good proof, culpable. Secondly, that men will not be over-hasty, considering in what predicament the king standeth touching his expectation of this crown, to advise any thing that in time future may be dangerous to the giver of such council as may reach to his mother's peril.

And lastly, the taking away of his mother, he being strong in the field through both foreign assistance, and a party here within the realm, will appear so weak a remedy (which may rather exasperate both him, and her party, to proceed with more courage and heat to revenge, if any such hard measure should be offered unto her), as they will suppose for the reason above specified, that no such extremity will be used.

It may also be objected, that the setting of her at liberty will greatly encourage the papists both at home and abroad; but herein, if the provision be duly considered, that may be made by parliament both here and there, they shall rather find cause of discomfort than otherwise.

These two doubts being resolved, and the perils that was in the mother appearing most manifestly to be seen in the son accompanied with more danger, with due consideration had also of such remedies as may be provided for the preventing of the dangers, that her liberty may minister just cause to doubt of; there will be good cause of hope found, that the same will rather breed benefit than perils.

Now it resteth, in what sort the said liberty shall be performed; if it shall be thought meet she shall be continued within the realm with some limitation, especially in that place where she now resideth, the country round about being so infected in religion as it is, it is greatly to be doubted that will very much increase the corruption, and falling away in that behalf. Besides, she should have commodity, with much more ease and speed, to entertain practices within this realm, than by being in her own country.

If abraod freely without limitation eithe France, then shall her majesty lose the gag then shall she be at hand to give advice in such practices, as have been laid for to stir realm, wherein she hath been a principal p

For the first it is answered before, that th perils that may befall unto her, will in no son. For the other if it be considered wh vice will work unto herself, in respect of the treaty, and the provision that may be ment here, it is to be thought, that she w advised, before she attempt any such mati she may do without perill. Besides such interposed their faith and promise for her, nour assist her, wherein the French king w very forward, who in most friendly sort, jected all such requests, propounded eithe son's ministers, that might any way offer And so to conclude, seeing the cause of he taken away; the French king gratified, w for her, and will mislike, that, by any Span should be drawn to violate her faith, that princes shall have no just cause of offence think honourably of her majesty considering queen's carriage towards her, which hath c any such favour; the noblemen of Scotland stored, who will be a good stay of such c tend to the troubling of this realm, espe good a ground of warrant as the parliament the charges and perils which her practices to this realm shall be avoided; and lastly, papists shall be taken away, by such good p both the realms may be made, whereby might fall into her majesty's own person, others to be weighed) shall be avoided, wh that may grow by any such wicked and ur they shall see their case no way relieved in gion.

Reasons to induce her majesty to proceed in the treaty under secretary Wasingham's hand.

[Cot. Lib. Cal. C. 8.]

THAT such plots as have of late years been devised tending to the raising of trouble within this realm) have grown from the Scots queen's ministers, and favourers, not without her allowance and seeking: Or,

That the means used by the said ministers, to induce princes to give ear to the said plots, is principally grounded upon some commiseration had of their restraint.

That the stay, why the said plots have not been put in execution, hath proceeded, for that the said princes have, for the most part, been entertained with home and domestic troubles.

That it is greatly to be doubted, that now their realms begin to be quiet, that somewhat will be attempted in her favours by the said princes.

That it is also to be doubted, that somewhat may be attempted by some of her fautors in an extraordinary sort, to be perill of her majesty.

That for the preservation thereof, it shall be convenient for her majesty to proceed to the finishing of the treaty, not long sithence begun between her and the said queen.

No. XLV. (Vol. II. p. 297.)

Letter of Queen Mary to Queen Elizabeth.

[Cott. Lib. Col. B. VIII. Fol. 147. An original.]

Madame ma bonne Seur,

M'ASSEURANT que vous avez en communication d'une lettre de Gray que vostre homme Semer me livra hier soubz le nom de mon filz y recongnoissant quasi de mot a la mot les memes raisons que le dit Gray m'escrivit en chiffre

estant dernièrement pres de vous desmonstrant la  
& bonne intention du personnage je vous pris  
suyant ce que si devant je vous ay tan-  
ment importuné que vous me permettiez de cla-  
ment & ouvertement ce point de l'aspiration d'  
& mon fils & me desser les mains pour proced  
comme je jugeray estre requis pour son bien &  
lit j'entreprenais quel que l'on vous dise & puis  
porter de faise mentir ce petit brailan qui par  
aucuns de vos ministres a entrapé cette separa-  
moy & mon enfant, & pour y commencer je ve  
m'estreper qui je puisse parler a ce justice clerk  
cete vouellement envoyé pour mander par luy  
mon intention sur cela, ce qui je me promeis que  
serez, quant ce ne seroit que pour demonstrez  
bonne intention que vous m'avez assurée avoir  
& entretien de naturel devoir entre la mere & l'  
dit en bonnes termes estre empesche pour vous  
captive en un desert ce que vous ne pourrez miex  
tir & faire paroître vostre bon desir a notre usq  
donnant les moyens d'y proceder, & non m'en  
empescher comme aucune de vos ministres preten-  
de laisser toujours lieu a leur mauvais & sinistres  
entre nous. La lettre porte que l'association  
pasée, ainsi ne luy ai je jamais dit, bienque mon  
accepté; et que nous en avions convenu ensembl  
l'acte signé de sa main, & ces lettres tant a moy  
France en font foy, ayant donne ce meme temoign  
bouche propre a plusieurs ambassadeurs & per-  
credit, s'excusant de ne l'oser faire publier par  
vous seulement, demandant forces pour vous re-  
vant de ce declarer si ouvertement estant jour  
persuade au contraire par vos ministres qui luy  
ent avecque une entreire a York le faire declarer  
retier. Au surplus Madame quand mon enfant  
malheureux que de s'opiniastrez en cette extreme  
& ingratitude vers moy, je ne puis penser que  
plus qu'aucun aultre prince de la Chretienté le  
eu cela applaudir ou meintenir pour luy fayre acq  
malediction ains que platos *introduendres* pour luy  
congnoître la raison trop juste & evident devant D

mes. Helas & encores ne luy vouloier j'en offer, may  
 ier avec droit ce qu'il tient par usurpation. Je me suis  
 out commise a vous, & fidelement faites si il vous plect  
 je ne en soye pis qu'auparavant, & que le faulte des  
 ne prevale desvant la verite vers vous, pour bien rece-  
 mal, & la plus grande affliction que me scauroit ar-  
 : a scavoir la perte de mon fils. Je vous supplie de me  
 der en cas qu'il persiste en cette m'esconnoissance de  
 levoir, que de luy ou de moy il vous plaist advouer pour  
 time roy ou royne d'Ecosse, & si vous avez agreable de  
 suivre avec moy a part la traité commencé entre nous  
 uoy je vous requiers sans plus attendre de response de  
 al gouvernè enfant vous en requerrant avec autant  
 ction que je sens mon cœur oppressé d'ennuy. Pour  
 souvenez vous de la promesse que m'avez faites de me  
 dre en votre protection me raportant de tout a vous, &  
 ce prian. Dieu qu'il vous viueille preserver de toute  
 ennemys & dissimulez amys, comme je le desire de  
 consoler & de me venger de ceulz qui pourchassent un  
 alheur entre la mere & l'enfant. Je cesseray de vous  
 pler, mais non a m'ennuier que je ne recoive quelque  
 plation de vous & de Dieu encore un coup je le supplie  
 us garder de tout peril. Futhbery XII Mars.

Votre fidelement voué sœur

& obeissant cousine,

MARIE Q.

la reyne d'Angleterre  
 une ma bonne sœur &  
 ne.

## No. XLVI. (Vol. II. p. 298.)

## A Testament by Q. Mary.

[Cott. Lib. Vespas. L. 16 p. 415.]

N. B. The following paper was transcribed by Mr Crawford late regius professor of church history at the university of Edinburgh. Part of this paper according to him is written by Nauë, Mary's sister, the rest with the queen's own hand. What is "is in the queen's hand.

CONSIDERANT par ma condition presente l'estat humaine, si incertain, que personne ne s'en pesut, assurer, sinon sous la grande et infinie miserie de Dieu. Et me voulant prevaloir d'icelle contre tous dangers et accidens, qui me pourroient inopinément en cette captivité, mesmes a cause des grandes et maladies, ou j'ay esté detenué jusques a present; j'tandis que j'ay la commodité, ou raison en jugeai pourvoir apres ma mort la salut de mon ame, estat de mon corps et disposition de mon bien, estat, & par ce present mon testament et ordonnance de mon volonte, qui s'ensuyt.

Au nom du Pere, du Filz, et du benoite St Esprit, premierement, me recongnoissant indigne pecheresse d'offences envers mon Dieu, que de satisfaction par les adversites que j'ae souffert; dont je lay loue Et m'appuyant sur la croix de mon Sauveur et Roi Jesus Christ. Je recommande mon ame a la benoïdie Trinité, et aux prieres de la glorieuse Vierge, et de tous les anges saints & saintes de paradis, par leur merites et intercession, estre aydeé a estre faicte participante avec culx de felicité eternelle pour m'y acheminer de cueur plus net et entier de des a present tout ressentiment des injures, calomnies, et aultres offenses, qui me pourroient factes durant ma vie, par mes subjets rebelles et a

nemis; J'en retiet la vengeance a Dieu, & le supplie leur pardonner, de mesme affection, que je luy requiers pardons a mes fautes, et a tous ceuls et celles que je puis avoir offensé de faicts ou de parolles. Je vulx et ordonne, &c.  
*[The two following paragraphs contain directions concerning the place and circumstances of her burial.]*

Pour ne contrevenir a la gloire, honneur, et conservation de l'Eglise catholique, apostolique et Romaine, en la quelle je veulx vivre et mourir, si le prince d'Escosse mon filz y puest estre requiet contre la mauvaïse nourriture, qu'il a prise a mon tres grand regret en l'herese de Calvin entre mes rebelles, je le laisse seul et unique heritier de mon royaume d'Escosse, de droict que je pretende justement en a la couronne d'Angleterre et pays qui en dependent, et generallement de tous et chacon mes meubles et immeubles qui resteront apres ma mort, et execution de ce present testament.

Si non, et que mon dit filz continue a vivre en la dite herese, Je cede, transportee, et faicte don " de tous et chacs mes droicts, que je pretenda & puis pretendre a la " couronne d'Angleterre, et aultres droicts, seigneuries, ou " royaumes en dependantz, au roy catholique, au aultre de " siens qu'il luy plaira, avesques advis, consentement de sa " sainteté; tan pour le voyr aujourd'hui le seul leurs appui " de la religion catholique, que pour reconnoissance de gratuïtes faveurs que moy, ei les miens recommandez, par " moy, ont avons receu de luy en ma plus grande necessité; " et resguard aussi au droict que luy mesme peut pretendre " a ces dits royaumes et pays, je le supplie qu'en recompenoe il preïgn alliance, de la maison de Lorraine, et si " il ce pient de celle de Guise, pour memoire de la race de " laquelle je suis sortie au coste de Mere, n'a ayant de ce luy de mon pere, que mon seul enfant, lequel estant Catholique j'ay tousjours voué pour une de ses filles, si il luy plaisoit de l'accepter, ou faillant une de ses niepces mariée comme sa fille.

" Je layse mon filz a la protection du roy, de prince, et ducs de Lorrayne et de Guise, et du Mayne, aux quelz je recommande et son estat en Escosse, et mon droict en Angleterre, si il est catholique, et quelle le parlie de ceste royna."



Je fais don au "compté de Lenox" de comptes de Lenox tenu par feu son pere, et commande mon filz, comme mon heretier et successeur, d'obeyr en cest en droit a mon volonte.

Je veulx et ordonne toutes les sommes et deniers, qui se troveront par moyz beues, tien mie cause de droict estes faits "a Lochliven" estre promptement payés et acquiés, et tout tort et griefs repares par lesdits executeurs desquels J'en charge la conscience. Oultre, &c. [*Follow two or three paragraphs concerning particular legacies, and then is added*] Faict au manoir de Sheffield en Angleterre le jour de — Mil cinq cens soixant & dix sept.

*After a large blank page follows in the queen's hand:*

" Si mon filz meurt, au comte de Lenox, au Comte de Hamilton lequel se montrera le plus fidelle vers moy, et plus constant en religion, au jugement de — Ducs de Lorraine et de Guyse, ou je le rapport sur ce de ceulx a que j'auray donnay le charge de trayter avecques eux de par moy et ceulx, a condition de ce marrier ou allier en la dite mayson au par leur advis."

*Follow near two pages of particular legacies.*

" Et le remets ma tante de Lenox au droict quelle peut pretendre a la conté d'Angous avant l'acort fait par mon commandement entre ma dite tante de Lenox et le comte de Morton, veu quil a esté fait & par le feu roy mon Mary et moy, sur la peomise de sa fidelle assistance, si luy et moy encourions dangier et besoing d'ayde, ce qu'il rompit, s'entendant secretement au les nos ennemis re-belles, qu'attempts prient contre sa vie, et pour cest effect pris les armes, et ont porté les bannieres desployées, contre nous, je revoque aussi toute autre don que je luy ay fait de conté de Morton sur promesses de ses bons services a advenir, et entends que la dite Conté soit reunie a la couronne, si ell se trouve y portenir, comme ses trahisons tant en la mort de mon feu Mary, que en mon banissement, et poursuit de la mien ne l'ont meritè. Et defends a mon filz de ce jamays servire de luy pour de

“ lu pour la hayne qu’il aye a ses parents, la quelle je crains  
 “ ne s’estende jusques a luy, le connoissant du tout affec-  
 “ tionné aux ennemis de mon droite en ce royaume, de  
 “ quel il est penconnaire.

“ Je recommande mon nepveu Francois Stuart a mon  
 “ filz, et luy commande detenir pres de luy et s’enservit,  
 “ et je luy laisse le bien du conte de Boduel son oncle, en  
 “ respect qu’il est de mon sang, mon filleul, et ma esté  
 “ laisse en lutelle par son pere.

“ Je declare que mon frere bastard Robert Abbé de St.  
 “ Croix n’a en que par circumvention Orkenay, et que le ne  
 “ fut jamays mon intention, comme il apret par la revoca-  
 “ tion que j’ay fayte depuys, et été aussi faite d’avant la  
 “ aage de xxv. ans, ce que j’aimois deliberer si il ne m’eus-  
 “ sent prennier par prison de se de defayre aulx estats je  
 “ veulx donc que Orkenay soit reune a la couronne comme  
 “ une de plus necessaires pour mon filz, & sans mayson ne  
 “ pourra etre bien tenue.

“ Le filles de Morre ne parvient accessi heriter, eins re-  
 “ vient la conté a la Couronne, si il luy plect luy donner  
 “ sa ou fille en marriasse, et il nome l’en sienne  
 “ ligne.”

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No. XLVII. (Vol. II. p. 309.)

A Letter from Mr Archibald Douglas to the  
 Queen of Scots.

(April ——. Harl. Lib. 37. B. 9. fo. 126.)

PLEASE your majesty, I received your letter of the date  
 of the 12th of Nov. and in like manner has seen some part  
 of the contents of one other of the same date, directed to  
 Monsr. de Movisir, ambassador for his majesty the most  
 Christian king, both which are agreeable to your princely  
 dignity, as by the one your highness desires to know the  
 true cause of my banishment, and offers unto me all favour  
 if I should be innocent of the heinous acts committed in

the person of your husband of good memory, so other the said ambassador is willing to declare unto your husband's murder could be laid justly again that you could not solicit in my cause, neither yet person that was participant of that execrable fact, he seek the revenge thereof, when you should have sought to do it; your majesty's offer, if I be innocent of this is most favourable, and your desire to know the same is most equitable; and therefore that I with all my simplicity, sincerity and truth answer unto is most reasonable, to the end that your princely may be my help, if my innocence shall suffice to clear, and procure my condemnation, if I be only any matter, except in the knowledge of the evil minds of the most part of your nobility against your husband, and not revealing of it; which I am well sufficiently known to himself, and to all that had been never so little in that realm; which also I was come to understand, as he, that was specially employed the earl Morton, and a good number of your nobility they might with all humility intercede at your command for his relief, in such matters as are more contained in the declaration following, which I strained for my own justification, by this letter to your majesty's remembrance. Notwithstanding thus assured, to my grief, the reading thereof will not offend your princely mind. It may please your majesty to remember, that in the year of God 1566, the said Morton, with divers other nobility and gentlemen were rebels to your majesty, and banished your realm for the murder committed in your majesty's own chamber, which they alledged was done by command of your husband, who notwithstanding affirmed that he was compelled by them to subscribe the warrant given for that howsoever the truth of that matter remains amongst us it appertains not to me at this time to be curious; that I was one of that number, that heavily offended your majesty, and passed into France the time of banishment, at the desire of the rest, to humbly pray brother the most Christian king to intercede that I might be pardoned, and your majesty's clemency

tended towards us, albeit divers of no small reputation, in that realm, was of the opinion, that the said fact merited neither to be requisite for, nor yet pardoned. Always such was the careful mind of his majesty towards the quietness of that realm, that the dealing in that cause was committed to Mons<sup>r</sup>. de Movisir, who was directed at that time to go into Scotland, to congratulate the happy birth of your son, whom Almighty God of his goodness may long preserve in happy estate and perpetual felicity; the careful travail of the said de Movisir was so effectual, and your majesty's mind so inclined to mercy, that within short space thereafter, I was permitted to repair into Scotland, to deal with earls Murray, Athol, Bodwell, Arguile, and secretary Ledington, in the name and behalf of the said earl Morton, lords Reven, Lindsay, and remnant complesis, that they might make offer in the names of the said earl, of any matter that might satisfy your majesty's wrath, and procure your clemency to be extended in their favours; at my coming to them, after I had opened the effect of my message, they declared that the marriage betwixt, you and your husband had been the occasion already of great evil in that realm, and if your husband should be suffered to follow the appetite and mind of such as was about him, that kind of dealing might produce with time worse effects; for helping of such inconvenience that might fall out by that kind of dealing, they had thought it convenient to join themselves in league and band with some other noblemen, resolved to obey your majesty as their natural sovereign, and have nothing to do with your husbands command whatsoever, if the said earl would for himself enter into that band and confederacy with them, they could be content to humbly request and travel by all means with your majesty for his pardon, but before they could any farther proceed, they desired to know the said earl's mind herein; when I had answered, that he nor his friends, at my departure, could not know that any such like matter would be proponit, and therefore was not instructed what to answer therein, they desired that I should return sufficiently instructed in this matter to Sterling, before the baptism of your son, whom God might preserve; this message was faithfully delivered to me at Newcastle in England, where the said earl then

sure, which limitation was after mitigated at request of your own nobility, so that immediat said earl of Morton repaired into Scotland to Qu where the earl of Bodvell and secretary Leding him; what speech passed there amongst the shall be my judge, I knew nothing at that time, departure I was requested by the said earl M company the earl Bodvell and secretary to and to return with such answer as they shou your maje-ty, which being given to me by the as God shall be my judge, was no other than " Schaw to the earl of Morton that the queen " speech of that matter appointed unto him : " fit that the answer might be made more sensib Ledington said, that the earl would sufficiently it, albeit few or none at that time understand amongst them. It is known to all men, als vei letters passed betwixt the said earl and Ledi they become in divers factions, as also ane bu by the ministers wherein they affirm that the e ton has confessed to them, before his death, t Bodvell came to Quhittingame to prepon the off the king your husband, to the which pro said earl of Morton affirms that he could givi

by the aforesaid witnesses that was examined in torture, and that are extant in the custody of the ordinary judges in Scotland, my innocency, so far as may concern any fact, does appear sufficiently to your majesty. And as for my dealing aforesaid, I can be no otherwise charged therein, but as what would accuse the vessel that preserves the wine from harm, for the intemperancy of such as immoderately use the same. As for the special cause of my banishment, I think the same has proceeded upon an opinion conceived, that I was able to accuse the earl of Morton of so much matter as they alledge himself to have confessed before he died, and would not be induced, for loss of reputation, to perform any part thereof. If this be the occasion of my trouble, as I suppose it is, what punishment I should deserve, I remit me to your majesty's better judgment, who well knows how careful ever ilk gentleman should be of his fame, reputation and honour, and how far ever ilk man should abhor the name of a pultroun, and how indecent it would have been to me to accuse the earl of Morton, being so near of his kin, notwithstanding all the injuries I was constrained to receive at his hand all the time of his government, and for no other cause but for shewing of particular friendship to particular friends in the time of the last cruel troubles in Scotland. Sorry I be now to accuse him in any matter being dead, and more sorry that being on lyff, be such kind of dealing obtained that name of Ingrate. Always for my own part I have been banished my native country those three years and four months, living in anxiety of mind, my holl guds in Scotland, which were not small, intermittit and deposit upon, and has continually since the time I was relieved out of my last troubles at the desire of mons<sup>r</sup> de Movisir, attended to know your majesty's pleasure, and to wait upon what service it should please your majesty for to command. Upon the 8th of April inst. your good friend secretary Walsinghame has declared unto me that her highness tho't it expedient that I should retire myself where I pleased, I declared unto him I had no means whereby I might perform that desire, till such time as I should receive it from your majesty. Neither knew I where it would please your highness to direct me, until such time as I should have received further information.

from you. Upon this occasion, and partly by prent  
I have taken the hardress to write this present  
whereby your majesty may understand any part  
troubles past, and strait present. As to my intenti  
ture, I will never deny that I am fully resolved to  
the rest of my days in your majesty's service, and th  
your son's, wheresoever I shall be directed by your m  
and for the better performing thereof, if so shall  
majesty's pleasure, to recommend the tryal of m  
cency, and examination of the verity of the precedi  
ration, to the king your son, with request that I  
pardoned for such offences as concerned your majest  
vice, and var common to all men the time of his li  
and perdonit to all, except to me, I should be the  
thereof myself, and be directed in whatsoever ser  
should please your majesty for to command. Most  
I beseech your majesty to consider hereof, and to be  
cious as to give order, that I may have means to  
your majesty according to the sincerity of my me  
and so expecting your majesty's answer, after the  
your hand with all humility, I take leave from Lond

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No. XLVIII. (Vol. II. p. 317.)

A letter from Sir Amias Paulet.

[Origin. Cal. C. 9.]

SIR,

I DID forbear according to your direction signi  
your letters of the fourth of this present, to proceed  
execution of the contents of Mr Waade's letters unt  
for the dispersing of this lady's unnecessary servant  
for the seasing of her money, wherein I was bold to  
unto you my simple opinion (although in vain as i  
falleth out), by my letters of the 7th of this instant,  
I doubt not are with you before this time; but up  
receipt of your letters of the 5th, which came not un  
hands until the 8th in the evening, by reason, as d

pear by indorsement, that they had been mistaken, and were sent back to Windsor, after they were entered into the way towards me, I considered, that being accompanied only by my own servants, it might be thought that they would be intreated to say as I would command them, and therefore I thought good, for my better discharge in these money matters, to crave the assistance of Mr Richard Baggot, who repairing unto me the next morning, we had access to this queen, whom we found in her bed, troubled after the old manner with a defluxion, which was fallen down into the side of her neck, and had bereft her of the use of one of her hands, unto whom I declared, that upon occasion of her former practices, doubting lest she would persist therein by corrupting underhand some bad members of this state, I was expressly commanded to take her money into my hands and to rest answerable for it, when it shall be required; advising her to deliver the said money unto me with quietness. After many denials, many exclamations, and many bitter words against you (I say nothing of her railing against myself), with flat affirmation that her majesty might have her body, but her heart she should never have, refusing to deliver the key of the cabinet, I called my servants, and sent for barrs to break open the the door, whereupon she yielded, and causing the door to be opened, I found there in the coffers, mentioned in Mr Waade's remembrance, five rolls of canvas, containing five thousand French crowns, and two leather bags, whereof the one had, in gold, one hundred and four pounds two shillings, and the other had three pounds in silver, which bag of silver was left with her, affirming that she had no more money in this house, and that she was indebted to her servants for their wages. Mr Wande's note maketh mention of 3 rolls left in Curle's chamber, wherein, no doubt, he was misreckoned, which is evident as well by the testimonies and oaths of diverse persons, as also by probable conjectures; so as in truth we found only two rolls, every of which containeth one thousand crowns, which was this queen's gifte to Curle's wife at her marriage. There is found in Naw's chamber, in a cabinet, a chain worth by estimation one hundred pounds, and in

*Curle can tell  
you the truth of  
this matter.*



money, in one bag nine hundred pounds, in a second two hundred fourscore and six pounds eighteen shillings. All the foresaid parcels of money are bestowed and sealed by Mr Richard Bagot, saving five pounds of New's money, which I reserve in my house for the use of this household, and may be repayed at where her majesty shall appoint, out of the money lately by one of my servants, out of Exchequer. lest the people might have dispersed this money in time, or have hidden the same in some secret corner, doubt whereof I had caused all this queen's family the highest to the lowest, to be guarded in the several houses where I found them, so as yf I had not found any with quietness, I had been forced to have sent all their lodgings, and then their own persons. God with all my heart, as for a singular blessing, sheweth out so well, fearing lest a contrary success have moved some hard conceits in her majesty.

Touching the dispersing of this queen's servants I have done so much, as may suffice to satisfy her for the time, wherein I could not take any absolute until I heard again from you, partly because her by Mr Waade's letter, doth refer to your consideration such as shall be discharged to their several and countries, wherein, as it seemeth, you have to deliver your opinion; partly, for that as yet, I received no answer from you, of your resolution, view of the Scottish family sent unto you, where you will appoint to be dismissed; only this I have have bestowed all such as are mentioned in this bill in three or four several rooms as the same may contain them, and that their meat and drink shall be sent unto them by my servants. It may please you, to shew me by your next letters, in what sort, and course, I shall make their passports, as also, if I say that they are unpaid of their wages, what is therein. Yt is said that they are accustomed to be paid of their

*This lady hath  
good store of money  
at present in the  
French ambassador's  
hands.*

Christmas, for the whole year. her majesty's charge will be somewhat diminished by the departure of this family, and my charge by this occasion will be the more easy. But the

save Bastian, are such silly and simple souls, as there was no great cause to fear their practices, and upon this ground, I was of opinion, in my former letters, that all this dismissed train should have followed their mistress until the next remove, and there to have been discharged upon the sudden, for doubt that the said remove might be delayed, yf she did fear, or expect any hard measure.

Others shall excuse their foolish pity as they may; but for my part, I renounce my part of the joys of heaven, yf in any thing that I have said, written, or done, I have had any other respect than the furtherance of her majesty's service; and so I shall moest earnestly pray you to affirm for me, as likewise for the not seasing of the money by Mr Manners, the other commissioners, and myself. I trust Mr Waade hath answered, in all humble duties, for the whole company, that no one of us did so much as think that our commission reaching only to the papers, we might be bold to touch the money, so as there was no speech of that all to my knowledge, and as you know I was no commissioner in this search, but had my hands full at Tyxall, discreet servants are not hastily to deal in great matters, without warrant, and especially where the cause is such as the delay of it carried no danger.

Your advertisement of that happy remove hath been greatly comfortable unto me. I will not say, in respect of myself, because my private interest hath no measure of comparison with her majesty safety, and with the quiet of this realm. God grant a happy and speedy yssue to these good and godly counsels; and so I commit you to his merciful protection. From Chartley the 10th of September 1586.

No. L. (Vol. II. p. 394.)

To the King's Majesty, from Mr Arth  
Douglas.

[1694 Oct. 1385. From the original in the Cotton  
A. 12. 1. Vol. B. 12. 394.]

PLEASE your majesty, I received your letter of the  
28th of September, the 5th of October, which I  
knew day that I directed W<sup>m</sup> Murray towards you  
him; by such letters as he carried, and others of  
others, your majesty may perceive that I had cause  
to be as my travel might reach unto, and as to  
the two chief points contained in the last  
part of the receipt thereof, which by these presents I  
report for answering of the same. As to the first,  
as may concern the interceding for the queen your  
mother her life. I have divers times, and in every  
travelling with this queen in that matter, specially to  
what her full determination must be in that point  
could never bring her to any further answer, but the  
proceeding against her by order of justice was no less  
her mind, than against their will that loved her be  
towards her life she could give no answer thereunto  
such time as the law hath declared whether she was  
dead or guilty. Herewithal it was her pleasure thus  
inform me, that it was a number of the associates th  
nestly pressed her that the law might proceed again  
giving reasons that so long as she was suffered to d  
matters, so long would never this realm be in quiet  
ther her life, neither this state in assurance, and in th  
they used this protestation, that if she would not  
matter follow their advice, that they should remain w  
all blame whatsoever should fall out; whereupon sh  
granted them liberty to proceed, lest such as had ma  
request might hereafter have charged herself with in  
nience if any should happen.

And by myself I know this her speech to be true, because both papist and protestant has behaved them, as it hath been her pleasure to declare, but upon divers respects, the one to avoid suspicion that otherwise was conceived against them, the other upon zeal, and care that they will be known to have for preservation of their sovereign's life and state in this perilous time, upon consideration whereof, I have been constrained to enter into some dealing with both, where-with I made her majesty acquainted; the protestants, and such as in other matters will be known to bear no small favour unto your majesty's service, hath prayed that they may be excused from any dealing in the contrary of that, which by their oath they have avowed, and by their speech to their sovereign requested for, and that before my coming in this country; if they should now otherwise do, it would produce no better effect but to make them subject to the accusation of their sovereign, when it should please her to do it, of their inconstancy, in giving counsell whereby they might incur the danger of ill-councillors, and be consequent worthy of punishment. Such of the papists, as I did deal with, went immediately, and told her majesty what I had spoken to them, who albeit she understood the matter of before, sent for me and declared to me my own speech that I had uttered to them, willing me for the well of my master's service to abstain from dealing with such, as were not yet sufficiently moved to think of my master as she did. I craved leave of her majesty, that I might inform them of your majesty's late behaviour towards her, and the state of this realm, whereunto with some difficulty she gave her consent. At my late departure from court, which was upon the 5th of this instant, and the day after that the lords of this grand jury had taken their leaves of her majesty to go northward to Fotheringham, it was her pleasure to promise to have further speech in this matter at the returning of the said lords, and to give full answer according to your majesty's contentment to the remainder matters, that I had proponit in name of your majesty. As to the second part concerning the association, and desire that the promise made to the master of Gray concerning your majesty's title may be fulfilled; it appears by the said letter, that the very point whereupon the question that may

bring your majesty's title in doubt, hath not been rightly at the writing of the said letter considered, which I take to have proceeded for lack of reading of the act of parliament, wherein is fulfilled all the promises made by the queen the said master, and nothing may now cause any doubt to arise against your said title, except that an opinion should be conceived by these lords of this parliament that might be vehement at this time against the queen your majesty's mother, that your majesty is, or may be proved hereafter assenting to her proceedings, and some that love your majesty's service were of that opinion that too earnest request might move a ground, whereupon suspicions might grow in men so ill affected in that matter, which I tho't might be helped by obtaining of a declaration in parliament of your majesty's innocence at this time, and by reason that good nature and public honesty would constrain you to intercede for the queen your mother, which would carry with itself, without any further, some suspicion that might move ill affected men to doubt. In my former letters I humbly craved of your majesty that some learned men in the laws might be moved to advise with the words of the association, and the mitigation contained in the act of parliament, and withall to advise what suspicious effects your majesty's request might work in these cholerick men at this time, and how their minds might be best moved to receive reason; and upon all these considerations they might have formed the words of a declarator of your majesty's innocence to be obtained in this parliament, and failing thereof, the very words of a protestation for the same effect that might best serve for your majesty's service, and for my better information. Albeit this was my simple opinion, I shall be contented to follow any direction it shall please your majesty to give; I have already opened the substance hereof to the queen of this realm, who seems not to be offended herewith, and hath granted liberty to deal therein with such of the parliament as may remain in any any doubt of mind. This being the sum of my proceedings in this matter, besides the remainder, contained in other letters of several dates, I am constrained to lay the whole open before your majesty, and to humbly pray that full information may be sent unto me what further to do herein; in this middle

while I shall receive more ample direction I shall proceed be doing according to such direction as I have already received. And so, most gracious sovereign, wishing your majesty all happy success in your affairs, I humbly take my leave from London, 16th of Oct<sup>r</sup> this 1586. majesty's most humble subject and obed<sup>t</sup> servant.

### Memorial for his Majesty by the Master of Gray.

Jan. 1586. An original in his own hand in the Collect. of Sir A. Dick. Vol. A. fol. 222.]

will please your majesty, I have thought meet to set all things as they occur, and all advertisements as come to my ears, then jointly in a letter.

I wrote to Vire the 24th of Dec<sup>r</sup>, and sent to W<sup>m</sup> Keith and Archibald Douglas to advertise the queen of it, like I did at their audience. She promised the queen majesty's mother's life should be spared till we were

The 27th they came to Vire to me, the which day he came to Vire, where they shewed us how far they were gone in their negotiation, but for that the date of it is set down in our general letter, I remit me to you this far I will testify unto your majesty that W<sup>m</sup> hath used himself right honestly and wisely till now, respecting all circumstances, and chiefly his counsel his dealing, which indeed is not better than your majesty knows already.

The 29th day of Dec<sup>r</sup> we came to London, where we were so friendly received, nor after the honest sort it was used your majesty use her ambassadors; never men so welcome or convey us. The same day we understood Mr de Bellievre his leave taking, and for that the date permitted not we sent our excuses by Mr George

The 1st day of Jan<sup>y</sup> W<sup>m</sup> Keith and his colleague according to the custom sent to crave our audience. We received the date contained in the general letter, and could not have waited till the 6th day, what was done that day your ma-

jesty has it in the general, yet we was not out of at that time, albeit we received hard answers.

The 8th day we speak with the earl of Leicester our conference was, as is set down in the general marked this, that he that day said plainly the death of the queen of Scotland prisoner was for that she a succession to this crown. Judge then by the thought of your majesty, as ye shall hear a little after.

The 9th day we speak with the French earl whom we found very plain in making to us a wise of all his proceedings, and Mr de Bellievre we then in your majesty's name, and opened such things to treat with this queen, save the last point, as is set down by our general.

It is thought here, and some friends of your advised me, that Bellievre his negotiation was not and that the resident was not privy to it, as indeed is true, for since Bellievre his parting, there is a Monsieur Chasteauneuf his servants taken with his whole packets, which he was sending in France, for that he him with a conspiracy of late against the queen's life. It is alleged his servant has confessed the name whom I shall trust I know not, but till I see prove account him an honest man, for indeed so he appears one (without doubt) who hath been very instant matter. I shew him that the queen and earl of Leicester desired to speak with me in private, and craved that he gave it freely that he thought it meetest, I the reason why I communicate that to him, for he been suspected by some of her majesty's friends to have done evil offices in her service, that he my witness that my earnest dealing in this should sufficient testimony that all was lyes, and that this knight who now had betrayed her, had in that done evil desired me, seeing she saw only with other folks I should no ways impute it to her, for the like she to himself by Naué his persuasion. I answered by my witness in that.

The 9th day we sent to court to crave audience we got the 10th day: at the first, she said a little looked for should be welcome when it comes, I

your master's offers. I answered, no man makes offers for some cause ; we would, and like your majesty, first shew the cause to be extant for which we offer, and likewise that it be extant till your majesty has heard us. I think it be extant yet, but I will not promise for an hour, you think to shift in that sort. I answered we mind to shift, but to offer from our sovereign all things that a reason may be ; and in special, we offered as is set forth in our general, all was refused and tho't nothing. I called on the three that were in the house, the earl of Leicester, my lord admiral, and chamberlain, and very deeply repeated all our offers in presence of them all. I opened the last part, and said, Madam, for what respect : that men deal against your person or estate for her sake ? she answered, because they think she shall succeed here, and for that she is a papist ; appearingly said I both causes may be removed, she said she would be glad to understand it. If, Madam, said I, all that she has of right succession were in the king our sovereign's person, were all hope of papists removed ? She answered, I hope so. Then, madam, I think the queen his mother shall willingly sit all her rights in his person. She answered she hath right, for she is declared unhabil. Then I said, if she have no right, appearingly the hope ceases already, so that it is not to be feared that any man attempt for her. The queen answered, but the papists allow not our declaration ; I let it fall, says I, in the king's person by her assignation. The earl of Leicester answered, she is a prisoner, how can she demit ? I answered the demission is to her son, by the advice of all her friends she has in Europe, in case, as God forbid, that any attempt cuttis the queen here away, who shall party with her to prove the demission or assignation so be ineffectual, her son being opposite party and having all the princes her friends for him, being bonded for the efficacy of it with his majesty of before. The queen made as she could not comprehend my meaning, and sir Rob<sup>t</sup> opened the matter again, she yet made as if she understood not. So the earl of Leicester answered to our meaning was, that the king should be put in his mother's place. Is it so, the queen answered, then I put myself in a worse case than of before ; by God's passion, that



she should not have a worse in his mother's ;  
said, tell your king what good I have done for k  
ing the crown on his head since he was born,  
mind to keep the league that now stands betw  
if he break it shall be a double fault, and with  
to have bidden us a farewell ; but we atchevit [i  
arguing upon this point]. And I spake cra  
that her life may be spared for 15 days ; s  
Sir Rob<sup>t</sup> craved for only eight days, she said  
hour ; and so geid her away. Your majes  
have delivered all we had for offers, but all is i  
for she and her councel has laid a determination  
mind to follow forth, and I see it comes rather c  
cel then herself, which I like the worse ; for wit  
sir, it shall cut off all friendship ye had here  
were that once they had meant well to your n  
remembering themselves, that they have medle  
mother's blood, good faith they cannot hope gi  
yourself, a thing in truth I am sorry for ; furth  
jesty may perceive by this last discourse of that  
if they had meant well to your majesty, they  
otherwise than they have done, for reason has b  
But I dare not write all. I mind something  
this matter. because we look shurly our letts

villing, then to crave audience, where we mind to use  
ly our instructions, which hitherto we have used very  
y, for we can, for your honour's cause, say no less for  
majesty, than the French ambassador has said for his  
r.

I pray your majesty consider my upright dealing in  
service, and not the effect, for had it been doable [i. e.  
ble to be done] by any I might have here had credit,  
eing I came only for that cause I will not my credit  
serve here to any further purpose. I pray God pre-  
your majesty and send you a true and sincere friend.

From London this 12th of Jan. 1586.

understand the queen is to send one of her own to  
majesty.

the Right Hon. my Lord Vice-chancellor  
nd Secretary to his Majesty, from the Master  
'Gray.

[Jan. 1586. An original in the Collect. of Sir A. Dick,  
Vol. A. fol. 179.]

r lord, I send you these lines with this inclosed to his  
sty, whereby your lordship shall understand how  
ers goes here. And before all things I pray your  
hip move his majesty to respect my diligence, and not  
ffect in this negociation, for I swear if it had been for  
rown of England to myself I could do no more, and let  
nfriends have advantage of me, for the world shall see  
I loved England for his majesty's service only. I look  
ly to find your lordship friend as ye made promise, and  
od I shall be to you if I can. W<sup>m</sup> Keith and I de-  
s, if matters had gone well, to have run a course that  
lordship might have here been in credit and others dis-  
inted, but now I will do for you as for myself: which  
care for no credit here, for in conscience they mean  
onestly to the king our sovereign, and if they may, he  
go the get his mother is gone or shortly to go, there-  
my lord without all kind of scruple, pray you to advise  
the best is not this way. They say here, that it has

past of the like purposes, it would consume more than I have here, so I defer it to meeting. The conspiracy alleged against the queen to have been for the French ambassador resident three of his name but I think in the end it shall prove nothing. A man who is ambassador for this queen in France, is told it, his brother is taken here, always it has done in our negotiation, that all this council would not queen to meddle with the queen of Scotland's this invention was found forth. I remit all other the inclosed. We minded to have sent to his discourse, which we have set down of all our part since our hither coming, but we are surely advised the bearer is to be trussed by the way for our part that we defer it till our own coming; this I have privy part beside the packet. We shall I think on Fryday the 13th day, where we mind exactly the rigour of our instructions, for it cannot stand king's honour that we say less than the French at which was, le roy mon maistre ne peult moins se resentir. So that about the 24th I think we willing, be at home, except that some stay come look not for. The queen and the earl of Leicest desired to speak with me. I refused save in presence

## To the King's Majesty, from Sir Robert Melvil.

[20th Jan. 1586. An original in his own hand, in the Collect. of Sir A. Dick. Vol. A. fol. 181.]

IT may please your majesty, since the direction of our former letters, we had audience, and her majesty appeared to take our overtures in good part in presence of her council; albeit no offers could take place with them, having taken resolution to proceed with extremity, not the less it pleased her majesty to desire us to stay for two days on taking our leave, untill she had advised upon our propositions; since which time, her majesty is become more hard by some letters (as we are informed) has come from Scotland, making some hope to believe that your majesty takes not this matter to heart, as we know the contrary in effect, and had it before removed the like opinion out of her majesty's mind, which by sinister information was credited, thir reports has hindered our commission, and abused this queen, fearing in like manner we shall be stayed until answer come from Scotland by such person as they have intelligence of. And albeit that it will be well enough known to all men how heavily your majesty takes this proceeding to heart, the truth is, that they have by this occasion so persuaded the queen, that it is like to hinder our negotiation. As also Alchinder (i. e. Alexander) Steward is to be directed in their party, by our knowledge who has awantyt more of his credit, than I believe he may perform, and we wreat him to desist from this dealing, saying it does harm, and he is not meet for that purpose, remitting to your majesty's good discretion to take order herein as we shall be answerable to your majesty not to omit any point we have in charge, as the truth is, the master of Grhaye has behaved himself very uprightly and discreetly in this charge, and evil tayne with be divers in these parts who were of before his friends. We have been beholding to the menstrals who has born us best company, but has not been troubled with others. Wylzeme Kethe hath left nothing undone that he hath in charge. As for master Archibald he has promised at all times to do his dewoyr, wherein he shall find true

report made to your majesty, craving pardon  
 jesty that I have been so tedious, after I hav  
 majesty's hand I humbly take my leave. }  
 to grant your majesty many good days an  
 whose protection I commit your majesty at  
 20th of Jan. 1586.

W<sup>m</sup>,

ALBERT Master George has not been in c  
 is not inferior in his service to any of us, a  
 good advice and diligent care he takes for the  
 of your service, wherein we have not been a li

To the King's Majesty, from the Mas  
 and Sir Robert Melvill.

[11st Jan. 1586. An original in the Collect. o  
 Vol. A. fol. 186.]

P<sup>l</sup>ease it your majesty in the last audi  
 since our last advertisement by W<sup>m</sup> Murray  
 majesty at the resumming our offers somethin  
 and inclined to consider more deeply of them  
 got our leave, at our reasoning, certain of  
 namely, my lord of Leicester, sir Christopher  
 lord Humadon, and my lord Hawart being p  
 chamber, gave little show of any great cor  
 heare her from her former resolution, now  
 plexible what she should do, always we left her  
 and since we have daily pressed conference wi  
 council, which to this hour we have not ;  
 This day we have sent down to crave our  
 greatest hinder which our negotiation has fo  
 is a persuasion they have here that either ;  
 deals superficially in this matter, or that with  
 he moved to digest it, which when with great  
 had expagnit, we find anew that certain lett  
 them of late from Scotland has found some p  
 with them in our countrare. So that resolving  
 them of that doubt by a special message, they ha  
 of sir Alexander Stewart to try your highness's

to persuade your majesty to like of their proceedings, we from no terror we can say out unto him is able to tell him, he has given out that he has credit with your majesty, and that he doubts not to help this matter at your majesty's hand. If he come there that errand, we think your majesty will not oversee the great disgrace that his reports shall give us here, if he be not taken order with so that he be further heard, and if so be that any other be directed (as our intelligence gives us there shall) our due suite is to your majesty, that it may please your majesty to hear of us what we find here, and at what point we have this matter with her majesty, before that they occasion, the causes whereof remitting to our private ears. We commit your majesty for the present to God's royal protection. From London this 21st of Jan. 1586.

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No. LI. (Vol. II. p. 341.)

Copy of a letter from the Earls of Shrewsbury and Kent, &c. touching their proceedings with regard to the death of the Scottish queen, to her Majesty's council.

may please your hon<sup>ble</sup> good lordships to be advertised, that, on Saturday the 4th of this present, I Robert came to the house of me the earle of Kent in the city of ——— to whom your lordships letter and message was delivered, and her majesty's commission shewn; upon which the earle forthwith sent precepts for the staying of such hues and cries as had troubled the country, requiring the officers to make stay of all such persons, as should bring any such warrants without names, as before had been done, and to bring them to the next justice of the peace, to the intent that, upon their examination, the occasion causes of such seditious bruits might be bolted out known. It was also resolved that I the said earl of Kent should, on the Monday following, come to Lynton.

to Mr Elmes, to be the scribe and reader to each lord of Shrewsbury. Sunday at night, I Robert, to Fotheringay, where after the communicating mission, &c. unto us sir Amias Pawlet and Drury, by reason that sir A. Pawlet was hurt and not able to repair to the earl of Shrewsbury then at Orton, six miles off; it was then that we sir Henry Drury and Robert Beale shew him, which we did on ~~the~~ <sup>the</sup> morning; and to the delivery of her majesty's commission, and sir's letter imparted unto him what both the earl and we thought meet to be done in the cause, heretofore hitherto the day following, to confer with him and, concerning the same; which his lordship did. And for the better colouring of the same said earl of Shrewsbury sent to Mr Beale, a justice of the county of Huntingdon next adjoining, communicated that warrant, which Robert Beale your lordship's hands, for the staying of the hue requiring him to give notice thereof to the town borough, and especially unto the justices of peace of Leicestershire, and to cause the pursuers and bring warrants to be stayed, and brought to the next peace; and to bring us word to Fotheringay cast the next morning what he had done, and what in the mean time understand of the authors of such Which like order, I also sir Amias Pawlet had Monday morning in this town, and other places. The same night, the sheriff of the county of Northampton upon the receipt of your lordship's letter came to us and letters were sent to me the earl of Kent of Shrewsbury's intention and meeting here on Monday noon; and other letters were also sent with their lordship sent to sir Edward Montagu, sir Richard Knightley, Brudenell, &c. to be here on Wednesday by eight in the morning, at which time it was thought my execution should be. So upon Tuesday, we came hither, where the sheriff met us; and upon conference between us it was resolved, that the care for the surgeons, and other necessary provision should be imparted unto him against the time. And we repaired unto him, and first in the presence of

folks, to the intent that they might see and report  
 eafter that she was not otherwise proceeded with than  
 ording to law, and the form of the statute made in the  
 h year of her majesty's reign, it was thought convenient  
 t her majesty's commission should be read unto her, and  
 rwards she was by sundry speeches willed to perjure her-  
 against next morning. She was also put in remembrance  
 er fault, the honourable manner of proceeding with her,  
 the necessity that was imposed upon her majesty to pro-  
 d to execution, for that otherwise it was found that they  
 ld not both stand together; and however, sithence the lord  
 khurst's his being here new conspiracys were attempted,  
 lso would be still; wherefore since she had now a good  
 ile since warning, by the said lord and Robert Beale, to  
 nk upon and prepare herself to die, we doubted not but  
 t she was, before this, settled, and therefore would ac-  
 t this message in good part. And to the effect that no  
 ristian duty might be said to be omitted, that might be  
 her comfort, and tend to the salvation both of her body  
 l soul in the world to come, we offered unto her that if  
 would please her to confer with the bishop and dean of  
 erborough, she might; which dean, we had, for that  
 pose, appointed to be lodged within one mile of that  
 ce. Hereto she replied, crossing herself in the name of  
 Father, the Son, and the Holy Ghost, saying that she  
 s ready to die in the catholic Roman faith, which her  
 estors had professed, from which she would not be re-  
 ved. And albeit we used many persuasions to the con-  
 ry, yet we prevailed nothing; and therefore, when she  
 nanded the admittance of her priest, we utterly denied  
 it unto her. Hereupon, she demanded to understand  
 at answer we had touching her former petition to her  
 jesty, concerning her papers of accounts, and the be-  
 wing of her body. To the first we had none other an-  
 er to make, but that we thought if they were not sent  
 ore, the same might be in Mr Waade's custody, who  
 s now in France, and seeing her papers could not any wise  
 assure her majesty, we doubted not but that the same  
 uld be delivered unto such as she should appoint. For,  
 our own parts, we undoubtedly thought that her majesty  
 uld not make any profit of her things, and therefore we



our opinions) she might set down what she would have done, and the same should be imparted unto her majesty, of whom both she and others might expect all courtesy. Touching her body, we knew not her majesty's pleasure, and therefore could neither say that her petition should be denied, or granted. For the practice of Babington, she utterly denied it, and would have inferred it that her death was for her religion; whereunto it was eftsoons by us replied, that for many years she was not touched for religion, nor should have been now, but that this proceeding against her was for treason, in that she was culpable of that horrible conspiracy for destroying her majesty's person; which she again denied, adding further, that albeit she for herself forgave them that were the procurers of her death, yet she doubted not but that God would take vengeance thereof. And being charged with the despositions of Name and Curle to prove it against her, she replied, that she accused none, but that hereafter when she shall be dead, and they remain alive, it shall be seen how indifferently she had been dealt with, and what measure had been used unto her; and asked whether it had been heard before this, that servants had been practised to accuse their mistress, and hereupon also required what was become of them, and where they remained.

Upon our departure from her, for that it seemed by the commission, that the charge of her was in the disposition of us the earls, we required S. Amias paulet and S. Drue Drurie, to receive, for that night, the charge which they had before, and to cause the whole number of soldiers to watch that night, and that her folks should be put up, and take order that only four of them should be at the execution, remaining aloof of and guarded with certain persons so as they should not come near unto her, which were Melvill her steward, the physician, surgeon, and apothecary.

Wednesday morning, after that we the earls were repaired unto the castle, and the sheriff had prepared all things in the hall for the execution, he was commanded to go into her chamber, and to bring her down to the place where were present, we which have signed this letter, Mr Henry Talbot, Esq; sir Edward Montague, knt. his son and heir apparent and William Montague his brother, sir Rich-

r, knt. Mr Thomas Brudenell, Mr Beuill, Mr John Wingefield, Mr Forrest, and Rayner, Bont, Mr Dean of Peterborough, and others.

unifold, she paused to speak to Melvil in our ich was to this effect, " Melvil, as thou hast est servant to me, so I pray thee continue to commend me unto him. I have not impugn'd nor the religion of others, but wish him well. give all that have offended me in Scotland, so t he should also ; and beseech God, that he dm his Holy Spirit, and illuminate him." Mel- was, that he would so do, and at that instant eech God to assist him with his spirit. Then d to speak with her priest, which was denied e rather for that she came with a superstitious and a crucifix. She then desired to have her elp her, and upon her earnest request, and say- n other gentlewomen were executed, she had nicles that they had women allowed unto them, itted that she should have two named by her- vere Mrs Curle and Kenedy. After she came ld, first in presence of them all, her majesty's was openly read ; and afterwards Mr Dean of h, according to a direction which he had re- ight before, from us the earls, wou'd have made onition to her, to repent and die well in the and charity to the world. But at the first tterly refused it, saying that she was catholi- it it were a folly to move her being so reaso- d, and our prayers would little avail her. to the intent that it might appear that we, le assembly, had a christian desire to have her godly prayer, conceived by Mr Dean was read ced by us all. " That it would please Al- to send her his Holy Spirit and grace, and also, is will, to pardon all her offences, and of his eive her into his heavenly and everlasting king- ally to bless her majesty, and confound all her whereof Mr Dean minding to repair up shortly, ur lordship's a copy.

, she pronounced a prayer upon her knees to

this effect, " to beseech God to send her husband that she trusted to receive her salvation and of his grace to be received into his kingdome, God to forgive her enemies, as she forgave them, to turn his wrath from this land, to bless the queen that she might serve him. Likewise to beseech God to have compassion of his church, and not worthy to be heard, yet she had a confidence in his mercy, and prayed all the saints to pray unto God to receive her." After this (turning toward the queen) she desired them to pray for her, that her husband might receive her. Then, upon petition made by the queen, she pardoned him; and said, she was glad that all her sorrows was so near. Then she dissembling and weeping of her women, saying that she ought to thank God for her resolution, and willed them to depart from the scaffold, and so resolutely kneeled down, and having a kerchief about her eyes, laid down her neck, where executioner proceeded. Her servants were immediately removed, and order taken that none should approach the corpse, but that it should be embalmed by the physicians appointed. And further her crosse, apparel, and jewels are retained here, and not yielded unto the king, for the inconveniences that might follow, but he is rewarded by such as sent him hither.

This hath been the manner of our dealings whereof we have thought good to advertise you as particularly as we could, for the time, and thought good to signify unto your lordships that in the avoiding of all sinister and slanderous reports raised to the contrary, we have caused a not conceiv'd to the same effect in writing, which your lords have subscribed, with the hands of such knights and gentlemen above named that witnessed the action. And so beseeching Almighty God to give her majesty with a most prosperous reign, as we wish to all his and her enemies, we take our leaves. In this way, the 8th of February 1586, in his high castle,  
Your lordships at commandment

B. This, as well as several other papers in this Appendix, is taken from a collection made by Mr Crawford of Drumsoy, historiographer to Queen Anne, now in the Library of the Faculty of Advocates. Mr Crawford's transcriber has omitted to mention the book in the Cott. Lib. where it is to be found.

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No. LII. (Vol. II. p. 346.)

The objections against Mr Davison, in the cause of the late Scottish Queen, must concern things done either, 1. Before her trial at Fotheringay, 2. During that session, 3. After the same.

[Cott. Lib. Cal. C. 1.]

1. BEFORE her trial, he neither is, nor can be charged to have had any hand at all in the cause of the said queen, or to do any thing whatsoever concerning the same directly or indirectly.

2. During that session, he remained at court, where the only interest he had therein, was as her majesty's secretary, to receive the letters from the commissioners, impart them to her highness, and return them her answers.

3. After the return thence, of the said commissioners, it was well known to all her council,

1. That he never was at any deliberation or meeting whatsoever, in parliament, or council, concerning the cause of the said queen, till the sending down of her majesty's warrant unto the commissioners, by the lords and others of her council.

2. That he was no party in signing the sentence passed against her.

3. That he never penned either the proclamation publish-

was delivered by him unto Mr Davison, with his own privy, to be ready for to sign, when she pleased to call for it.

2. That being in his hands he retained it at or six weeks unpresented, nor once offering to till she sent a great councillor unto him for that was sharply reproved therefor by a great peer of the king's own presence.

3. That having signed it, she gave him an commandment to carry it to the seal, and being sent it immediately away unto the commissioners, in the direction. Herself appointing the hall of the place of execution, misliking the courtiers respects, and in conclusion absolutely to trouble her any further, or let her hear any more it was done. She, for her part, having considered all that, in law or reason, could be required.

4. Which directions notwithstanding, he kept sealed all that night, and the greatest part of in his hands, brought it back with him to acquaint her majesty with all, and finding herself solved to proceed therein, according to her functions, and yet desirous to carry the matter so, to throw the burthen from herself, he absolutely

ich, in substance and truth, is all the part and interest d Davison had in this cause, whatsoever is, or may tended to the contrary.

ching the sending down thereof unto the commis-  
s, that it was the general act of her majesty's council  
before-mentioned) and not any private act of his, may  
by,

Their own confession. 2. Their own letters sent  
therewith to the commissioners. 3. The testimonies  
lords and others to whom they were directed. As  
4. of Mr Beale, by whom they were sent. 5. The  
of her majesty's first commission for their calling to  
a chamber for the same, and private appearance and  
sion afterward instead thereof before the lord chan-  
Bromley. 6. The confession of Mr Attorney-general  
a court confirmed. 7. By the sentence itself upon  
8. Besides a common act of council, containing  
wer to be verbally delivered to the Scottish ambassa-  
en remaining here, avowing and justifying the same.  
where some suppose him to have given some ex-  
inary furtherance thereunto, the contrary may evi-  
appear by,

his former absolute refusal to sign the band of associ-  
being earnestly pressed thereunto by her majesty's

his excusing of himself from being used as a commis-  
in the examination of Babington and his complices,  
voiding the same by a journey to the Bath.

his being a mean to stay the commissioners from pro-  
ving the sentence at Fotheringay, and deferring it till  
hould return to her majesty's presence.

his keeping the warrant in his hands six weeks un-  
ted, without once offering to carry it up, till her ma-  
sent expressly for the same to sign.

his deferring to send it away after it was sealed unto  
mmissioners, as he was specially commanded, staying  
that night, and the greatest part of the next day in  
nds.

And finally, his restoring thereof into the hands of  
rd treasurer, of whom he had before received the

Which are clear and evident proofs, that the said Davison did nothing in this cause whatsoever, contrary to the duty of the place he then held in her majesty's service.

Cal. C. 2.

[This seems to be an original. On the back is this note:  
The innocency of Mr Davison in the cause of the late Scottish queen.]

No. LIII. (Vol. III. p. 77, line 3.)

Letter from ©, to his majesty King James<sup>6</sup>.

[From the original. Bibl. Fac. Jur. Edin. A. 1. 34. No. 4]

MOST worthy prince, the depending dangers upon your affectionates have been such, as hath enforced silence on him, who is faithfully devoted to your person, and, in due time of trial, will undergo all hazards of fortune for the maintenance of the just regal rights, that, by the laws divine, of nature and of nations, is invested in your royal person. Fall not then, most noble and renowned prince, from him, whose providence hath in many dangers preserved you, no doubt to be an instrument of his glory, and the good of his people. Some secrets, I find have been revealed to your prejudice, which must proceed from some ambitious violent spirited person near your majesty in council and favour; no man in particular will I accuse, but I am sure it hath no foundation from any, with whom, for your service, I

<sup>b</sup> In the former editions, I printed this as a letter from Sir Robert Cecil, but am now satisfied that I was mistaken in forming this opinion. See Sir D. Dalrymple's Rem. on the Hist. of Scot. p. 233. As the letter is curious, I republish it, though I cannot pretend to say to which of the king's numerous correspondents in England it should be ascribed.

have held correspondence; otherwise, I had, long since, been disabled from performance of those duties, that the thoughts of my heart endeavoureth; being only known to this worthy nobleman, bearer hereof, one noted in all parts of Christendom for his fidelity to your person and state, and to Mr David Fowles your most loyal servant, my first and faithful correspondent; and unto James Hudson, whom I have found in all things that concern you, most secret and assured. It may, therefore, please your majesty, at the humble motion of ☉, which jargon I desire to be the indorsement of your commands unto me, that by some token of your favour, he may understand in what terms you regard his fidelity, secrecy, and service. My passionate affection to your person (not as you are a king, but as you are a good king, and have just title, after my sovereign, to be a great king) doth transport me to presumption. Condemn not, most noble prince, the motives of care and love, altho' mixed with defects in judgement.

1. I, therefore, first beseech your majesty, that for the good of those whom God, by divine Providence, hath destined to your charge, that you will be pleased to have an extraordinary care of all practicers or practices, against your person; for it is not to be doubted, but that in both kingdoms, either out of ambition, faction, or fear, there are many that desire to have their sovereign in minority, whereby the sovereignty and state might be swayed by partiality of subalternate persons, rather than by true rule of power and justice. Preserve your person, and fear not the practices of man upon the point of your right, which will be preserved and maintained against all assaults of competition whatever. Thus I leave the protection of your person and Royal posterity, to the Almighty God of Heaven, who bless and preserve you and all yours, in all regal happiness to his glory.

2. Next to the preservation of your person is the conversation and secret keeping of your counsellors, which, as I have said, are often betrayed and discovered, either out of pretended zeal in religion, turbulent faction, or base conception, the which your majesty is to regard with all circumspection, as a matter most dangerous to your person and state, and the only means to ruin and destroy all those



that stand faithfully devoted to your majesty's service. Some particulars, and persons of this nature, I make no doubt have been discovered by the endeavours of this nobleman, the bearer hereof, of whom your majesty may be further informed.

3. The third point considerable is that your majesty, by all means possible, secure yourself of the good affection of the French king and states, by the negotiation of some faithful secret confident; the French naturally distasting the union of the British islands under one monarch. In Germany, I doubt not, but you have many allies and friends, but by reason of their remote state, they do not so much importune this affair, which must be guided by a quick and sudden motion.

4. When God, by whose Providence the period of all persons and times is determined, shall call to his kingdom of glory her majesty (although I do assuredly hope that there will not be any question in competition, yet for that I hold it not fitting to give any minute entrance into a cause of so high a nature), I do humbly beseech your majesty to design a secret, faithful and experienced confident, servant of yours, being of an approved fidelity and judgment, continually to be here resident, whose negotiation, it were convenient your majesty should fortifie, with such secret trust and powers, as there may not need 14 days respite to put for authority, in a cause, that cannot endure 10 hours respite, without varieties of danger. In the which it is to be considered, that all such as pretend least good to your establishment, will not in public oppose your title, but out of their cunning ambition will seek to gain time, by alledging their pretence of common good to the state, in propounding of good conditions for disburthening the common weale, of divers hard laws, heavy impositions, corruptions, oppressions, &c. which is a main point to lead the popular, who are much disgusted with many particulars of this nature. It were therefore convenient, that these motives, out of your majesty's providence, should be prevented, by your free offer in these points following, viz.

1. That your majesty would be pleased to abolish purveyors and purveyance, being a matter infinitely offensive to the common people, and the whole kingdom, and not profitable to the prince.

2. That your majesty would be pleased to dissolve the court of wards, being the ruin of all the noble and ancient families of this realm, by base matches, and evil education of their children, by which no revenue of the crown will be defrayed.

3. The abrogating the multiplicity of penal laws, generally repined against by the subject, in regard of their uncertainty, being many times altered from their true meaning, by variety of interpretations.

4. That your majesty will be pleased to admit free export of the native commodities of this kingdom, now often restrained by subalternate persons for private profit, being most prejudicial to the commerce of all merchants, and a plain destruction to the true industry and manufacture of all kingdoms, and against the profit of the crown.

These, being by your majesty's confidants in the point of time propounded, will assuredly confirm unto your majestie the hearts and affections of the whole kingdom, and absolutely prevent all insinuations and devices of designed patriots, that, out of pretext of common good, would seek to patronize themselves in popular opinion and power, and thereby to derogate from your majesty's bounty, and free favour, by princely merit of your moderation, judgment and justice.

Your majesty's favour, thus granted to the subject, will no way impeach the profits of the crown but advance them. The disproportionable gain of some chequer officers, with the base and mercenary profits of the idle unnecessary clerks and attendants, will only suffer some detriment; but infinite will be the good unto the kingdom, which will confirm unto your majesty the universal love and affection of the people, and establish your renown in the highest esteem to all posterity.

The Lord preserve your majestie, and make you triumphant over all your enemies.

My care over his person, whose letters pass in this packet, and will die before he leave to be yours, shall be no less than of mine own life, and in like esteem I will hold all your faithful confidants, notwithstanding I will hold myself reserved from being known unto any of them, in my particular devoted affections unto your majesty, only this extract

ordinary worthy man, whose character I am in this collection,  
doth know my heart, and we both will pray for you, and if  
we live you shall find us together.

I beseech your majesty burn this letter, and the others;  
for altho' it be in an unusual hand, yet it may be dictated,

Your majesty's most devoted,  
and humble servant.

# I N D E X.

*N. B. The Numeral Letters refer to the Volume,  
and the Figures to the Pages.*

## A

**ADAMSON**, Archbishop of St Andrews, is excommunicated by the synod of Fife, ii. 307. He excommunicated his opponents, *ibid.* Is restored by the general assembly upon conditions, *ibid.* His mean submission to the general assembly, iii. 2.

**ADAM**, Alexander Duke of, cabals with the nobles against his brother K. James III. i. 55. Is made prisoner, but escapes to France, *ib.* Concludes a treaty with Edward IV. of England, 56. Procures assistance to invade Scotland on mean conditions, *ib.* Returns to Scotland, and is restored to favour, 57. Cabals again, but is forced to fly to France, 58.

**ADAM**, Duke of, made regent during the minority of K. James V. i. 53. 61. After several unsuccessful struggles with the nobility, he is forced to retire to France, *ib.*

**ADAMSON**, Duke of, Queen Elizabeth long amuses the court of France by carrying on a treaty of marriage with him, ii. 239.

**ADAMSON**, Cardinal, published a book proving the lawfulness of killing excommunicated princes, ii. 293.

**ADAMSON**, Duke of, his intrigues in favour of Queen Mary, ii. 195. 199. 213. Is recalled from his government of the Netherlands, 221.

**ADAMSONS**, their office, i. 83.

**ADAMSON**, St. the Archbishop of, remarkably cured of a dangerous distemper, i. 135. Governed the church with great moderation, 166. Persecutes the reformers, *ibid.* Is imprisoned for celebrating mass, 295. Ruins Q. Mary's affairs by his imprudent conduct, ii. 111. Is taken prisoner in Dumbarton castle, and hanged, ii. 186.

**ADAMSON**, the castle of, demolished by the French, i. 110.

*Andrews*, St, the Prior of, promotes a treaty between the Q. Regent and the reformers, i. 177. Is provoked to leave the court, 179. Is one of the chief promoters of the reformation, 194. Some account of him, *ib.* *Arthel* endeavours used to undermine him, 195. Is sent by the convention to invite the Queen to Scotland, 247. Is received by her with confidence and affection, 248. Restrains the turbulent spirit of the people against *Gregory*, 263. Is sent to restrain the licentious practices of the borderers, 268. A conspiracy against him discovered, 277. Is created Earl of Mar, 279. See *Mar* and *Murray*.

*Angus*, Gilbert de Umfreville, Earl of, was the only man who asserted the independency of his country, i. 11.

— *Douglas*, Earl of, assumes the regency during the minority of K. James V. i. 34. 62. Is attainted and flies into England, 63. Obtains leave to return into Scotland, ii. 262. Surrenders himself to K. James VI. 272. He with several others seize the castle of Stirling to oppose *Arran*, 276. They are forced to fly into England at the approach of the king with an army, *ib.* He is attainted and his estate forfeited, 283. Is concerned in a plot in favour of Spain, iii. 7. Is seized and committed prisoner to the castle of Edinburgh, 8. Escapes and flies to the mountains, *ib.* Offers to submit to a trial, 13. Sentence pronounced against him, *ib.* He refuses to submit, 14.

*Anjou*, Duke of, a marriage proposed between him and Q. Elizabeth, ii. 192.

*Anne*, a princess of Denmark, married to K. James VI. ii. 367. Her arrival in Scotland and coronation, iii. 1. Heads a party to oppose the chancellor, 10.

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